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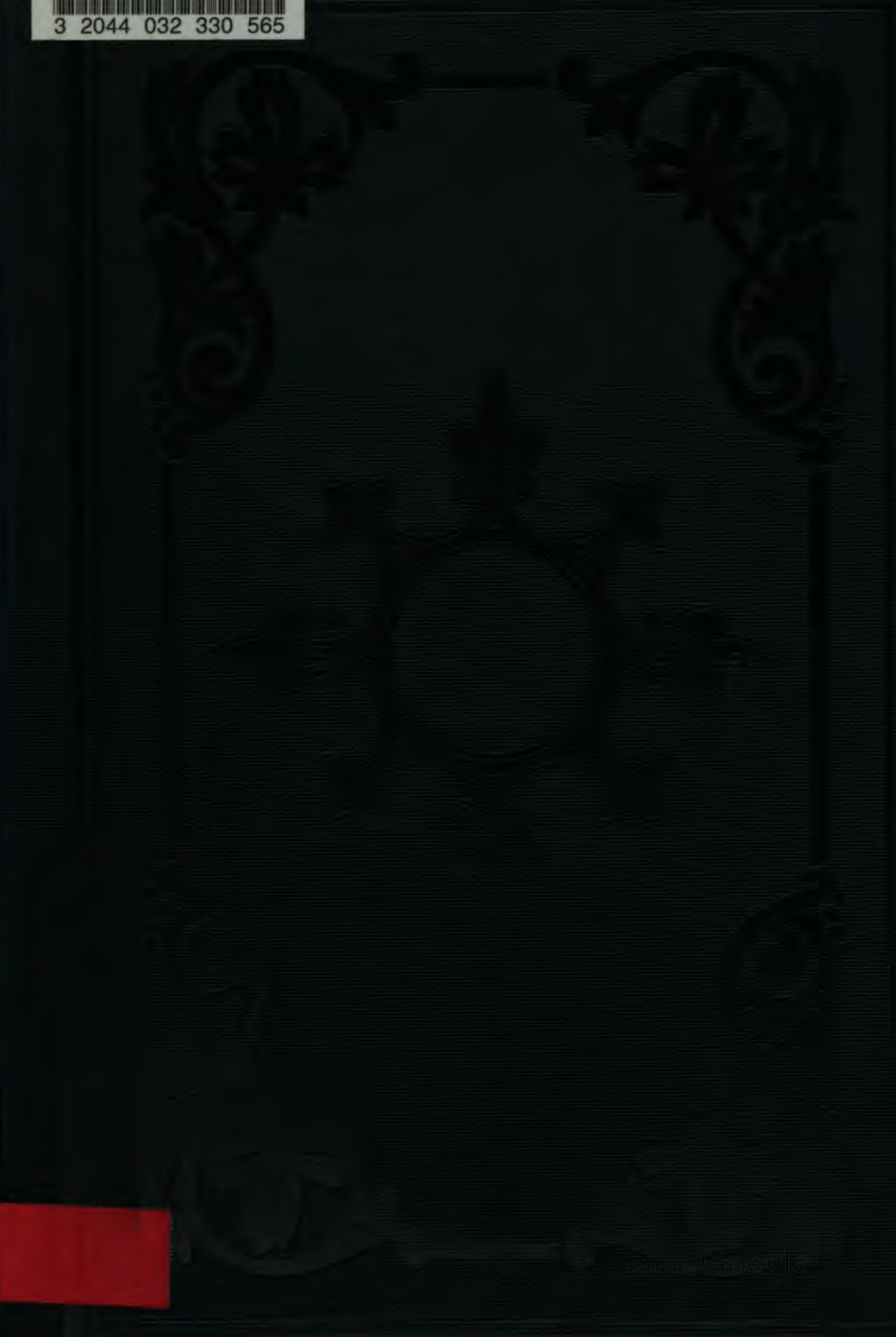

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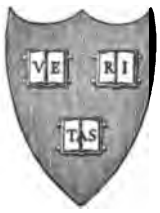

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CALENDARS.

Instructions to Editors.

The Master of the Rolls desires to call the attention of the Editors of Calendars to the following considerations, with a view to secure uniformity of plan in the important works on which they are engaged :—

He is anxious to extend, as far as is consistent with proper economy and despatch, the utility of the Calendars of State Papers now publishing under his control: 1st. As the most efficient means of making the national archives accessible to all who are interested in historical inquiries; 2nd. As the best justification of the liberality and munificence of the Government in throwing open these papers to the public, and providing proper catalogues of their contents at the national expense.

The greater number of the readers who will consult and value these works can have little or no opportunity of visiting the Public Record Office, in which these papers are deposited. The means for consulting the originals must necessarily be limited when readers live at a distance from the metropolis; still more if they are residents of Scotland, Ireland, distant colonies, or foreign states. Even when such an opportunity does exist, the difficulty of mastering the original hands in which these papers are written will deter many readers from consulting them. Above all, their great variety and number must present formidable obstacles to literary inquirers, however able, sanguine, and energetic, when the information contained in them is not made accessible by satisfactory Calendars.

The Master of the Rolls considers that, without superseding the necessity of consulting the originals, every Editor ought to frame his Calendar in such a manner that it shall present, in as condensed a form as possible, a correct index of the contents of the papers described in it. He considers that the entries should be so minute as to enable the reader to discover not only the general contents of the originals, but also what *they do not* contain. If the information be not sufficiently precise, if facts and names be omitted or concealed under a vague and general description, the reader will be often misled, he will assume that where the abstracts are silent as to information to be found in the documents, such information does not exist; or he will have to examine every original in detail, and thus one great purpose will have been lost for which these Calendars have been compiled.

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As the documents are various, the Master of the Rolls considers that they will demand a corresponding mode of treatment. The following rules are to be observed :—

1st. All formal and official documents, such as letters of credence, warrants, grants, and the like, should be described as briefly as possible.

2nd. Letters and documents referring to one subject only should be catalogued as briefly as is consistent with correctness. But when they contain miscellaneous news, such a description should be given as will enable a reader to form an adequate notion of the variety of their contents.

3rd. Wherever a letter or paper is especially difficult to decipher, or the allusions more than ordinarily obscure, it will be advisable for the Editor to adhere, as closely as is consistent with brevity, to the text of the document. He is to do the same when it contains secret or very rare information.

4th. Where the Editor has deciphered letters in cipher, the decipher may be printed at full length. But when a contemporary or authorised decipher exists it will be sufficient to treat the cipher as an ordinary document.

5th. Striking peculiarities of expression, proverbs, manners, &c., are to be noticed.

6th. Original dates are to be given at the close of each entry, that the reader may know the exact evidence by which the marginal dates are determined.

7th. Where letters are endorsed by the receivers and the date of their delivery specified, these endorsements are to be recorded.

8th. The number of written pages of each document is to be specified, as a security for its integrity, and that readers may know what proportion the abstract bears to the original.

9th. The language of every document is to be specified. If, however, the greater part of the collection be in English, it will be sufficient to denote those only which are in a different tongue.

10th. Where documents have been printed, a reference should be given to the publication.

11th. Each series is to be chronological.

12th. The Prefaces of Editors, in explanation of documents in the volume, are not to exceed fifty pages, unless the written permission of the Master of the Rolls to the contrary be obtained.

°₀° Editors employed in foreign archives are to transcribe at full length important and secret papers.

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Vol. 15

CALENDAR

OF

STATE PAPERS,

COLONIAL SERIES,

AMERICA AND WEST INDIES,

15 MAY, 1696—31 OCTOBER, 1697.

PRESERVED IN THE

PUBLIC RECORD OFFICE.

EDITED BY

THE HON. J. W. FORTESCUE.

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ERRATUM.

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PREFACE.

Burke's description of the genesis of the Board of Trade.

"THIS board, Sir, has had both its original formation and "its regeneration in a job. In a job it was conceived and "in a job its mother brought it forth . . . . . It was "projected in the year 1668, and it continued in a tottering "and rickety childhood for about three or four years, for it "died in 1673 . . . . . It was buried with little ceremony; "and never more thought of until the reign of King William, "when in the strange vicissitude of neglect and vigour, of "good and ill success that attended his wars, in the year "1695, the trade was distressed beyond all example of "former sufferings by the piracies of the French cruisers. "This suffering incensed and, as it should seem, very justly "incensed the House of Commons. . . . They attempted "to form in Parliament a board for the protection of trade; "which, as they planned it, was to draw to itself a part, if "not the whole, of the functions and powers both of the "Admiralty and of the Treasury. . . . . As the Executive "Government was in a manner convicted of a dereliction of "its functions, it was with infinite difficulty that this blow "was warded off in the session. There was a threat to "renew the same in the next. To prevent the effect of this "manœuvre the Court opposed another manœuvre to it; and "in the year 1696 called into life this Board of Trade which "had slept since 1673."

Its evident inaccuracy.

Such, in his speech on Economical Reform, is the account given by Edmund Burke of the genesis of the Board of Trade, the first commission of which stands at the opening of the present volume. It is difficult to understand how he contrived to reconcile the statement with the fact that, as this Calendar proves, the Committee, or as it was called the Board, of the Privy Council for Trade and Plantations fulfilled its functions continuously from 1673

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to May, 1696. The Board was indeed reconstituted, and being no longer of the Privy Council became as other Boards. In other words it could no longer address the Admiralty, the Treasury and the Customs as a superior, but could only approach them as an equal if not an inferior; but though endowed with smaller powers, it was charged with precisely the same functions as its predecessor, and carried on its work continuously without the slightest interruption. Whether, therefore, Burke be correct or incorrect in his assertion that the new Board was formed to prevent Parliament from encroaching on the province of the executive, it seems a hard criticism to speak of its creation as a job. So long as the Colonies existed and the Acts of Trade and Navigation remained in force, the business of administration concerning them was of quite sufficient volume to demand the attention of a complete department.

The formation of the new Board.

The list of the new Commissioners (1) contains but one name, that of John Locke, which is remembered in English history; but it is significant that William Blathwayt, the Secretary of the old Committee of Trade and Plantations, was one of the members. But for his knowledge and experience the new Board would have taken long to learn its work. It will be observed that it did not meet for despatch of business until six weeks after its appointment, when it selected William Popple for its Secretary. It does not appear by whose recommendation this gentleman was selected; but it is certain that in the matter of order and method he introduced great improvements into the office. The documents, after his advent, are well-arranged and well preserved; the entry-books are well and intelligently kept; and undated papers, often a source of great trouble and perplexity to an editor, are rarely, if ever, to be found. The Secretary having been appointed, the Board agreed to sit at least thrice a week; and Sir Christopher Wren was called in, as though he had been a mere clerk of the works instead of the architect of St. Paul's, to superintend the fitting of the rooms at Whitehall, which had still some

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eighteen months of life before they should be finally destroyed by fire (54, 60, 64). William Churchill and Jacob Tonson were then appointed stationers; and therewith the staff of the office, with its door-keepers and messengers, was complete (71). The method of transacting business was simple. The members of the Board met, agreed upon their recommendations for each item of business, and embodied them in a representation to the King; when an Order in Council empowered them to put their recommendations into execution. By a second Commission of 6 July, 1697 (1160), which added the business of fisheries and of the poor to the duties of the Board, it was ordained that every representation should be signed by at least four members.

State of trade in May, 1696.

The affairs of Trade and Plantations were in no pleasing condition in May, 1696. As Burke truly said, British trade had suffered beyond example from the depredations of French cruisers, as also from piracy which, as shall presently be seen, was not wholly confined to the French. Diminished trade of course brought with it diminished revenue, which was doubly serious in view of the disorder of British finance, aggravated by the pressure of seven years of war. A succession of expeditions had been despatched to root out the French from their naval bases in the West Indies at Martinique and Guadeloupe to windward, and at Hispaniola to leeward, and to sweep the French fleet off the seas. One and all of them had failed, with disgrace and disaster; and after huge expenditure of lives and of treasure, the peril of the French fleet remained as formidable as ever. Nor were its ravages confined to the Caribbean Archipelago. French cruisers and privateers never ceased to harry the coast of New England; and the tobacco of Virginia and Maryland, like the sugar of Jamaica and Barbados, remained idle in the Colonies for want of shipping, and of convoys to escort the shipping to the only lawful market in England. For seven years this state of things had continued, growing worse rather than better with each year; and the inevitable result had been that the Colonial merchants had sought to

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Increase of piracy.

indemnify themselves by finding markets other than those prescribed by the Acts of Trade, and by participating in the large profits which lay open to all by the simple process of robbery on the high seas. Where the merchants embarked their capital, the population on the sea-board cheerfully embarked its labour; and piracy, thriving on the commerce of all nations, developed a commerce of its own, which bade fair to extinguish all other. Even the King's ships were drawn insensibly into the vortex. Their crews, collected by the press-gang and subjected often to brutal officers, deserted as soon as they reached a Colonial port, and were easily persuaded to take part in some piratical venture which, at comparatively small risk, might bring them a dividend of one hundred pounds or more apiece. The present volume brings us face to face with a fact that is absolutely unknown to the vast majority of Englishmen, namely that towards the close of the war which ended at the peace of Ryswick British pirates, fitted out from British Colonies, practically swept British trade with the East Indies off the seas. The subject is of the greater interest, since it shows what curious results the stress of war may extract from an Imperial Commercial Code.

New Act to regulate Colonial trade.

The British Parliament, acutely sensitive to the increasing financial distress, had in the Session of 1695-1696 sought to amend it by passing a stringent Act to prevent frauds and regulate abuses in the Plantation Trade. It is singular to note this recourse, at a time of financial pressure, to an attempt at rigid enforcement of the Commercial Code. George Grenville, at the close of the Seven Years' War, also considered that strong administration of the Acts of Trade would gather in sufficient revenue to lighten appreciably the burden of the National Debt; but both he and his predecessors went astray through a blind confidence that Acts of Parliament will enforce themselves. The old Commercial Code rested largely upon oaths, which, it need hardly be said, were multiplied to an incredible extent by the New Act of 1695-6, with appalling

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penalties for violation of the same; but the difficulty, which never was faced, was the means by which these penalties should be exacted. When, however, enactments, such as the old Acts of Trade, are thoroughly vicious in principle, it is easy to ascribe their failure to the misconduct of some one particular man or group of men, whose perversity alone has prevented them from working smoothly and well. Such a scape-goat was now discovered in the Proprietary Colonies (100), that is to say of the Bahamas, Carolina, Connecticut, New Jersey, Pennsylvania and Rhode Island, which were either in the hands of an individual proprietor, such as William Penn, or of Corporate proprietary bodies. In these Colonies the Governors did not bear the King's Commission nor correspond directly with the Board of Trade and Plantations. Where the King's Governors were supreme, it was thought, though quite erroneously, that remiss administration and connivance with breaches of the Acts of Trade were unknown or could be readily corrected. The remedy for the shortcomings of the Proprietary Colonies, as prescribed by the Commissioners of Customs, was the establishment by the Crown of Admiralty Courts for the trial of offences under these Acts (100, 107). This proposal raised the constitutional question whether the Crown had the right to establish Admiralty Courts and officers for the same in Proprietary Colonies; and it may be mentioned that the exact status of a Proprietary Colony in relation to the Crown is a question which still troubles the Supreme Court of the United States. However, the Attorney General in this instance decided that the Crown did possess this right (409, 466); and the matter was so far settled. The question, however, was likely to lead to controversy, for the King's Admiralty Courts would try cases without a jury; and it was upon the sympathy of juries that one and all of the Colonies reckoned for relief from the trammels of the Acts of Trade.

The Proprietary Colonies held responsible for the failure of the old Acts of Trade.

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The Crown resolves to erect Admiralty Courts in the Colonies.

In another respect the new Act itself had already provided that the Governors nominated by the Proprietors of Colonies should be approved by the Crown, and should take the same oaths as were required from the King's own Governors for the due execution of the Acts of Trade. The question now arose as to the enforcement of this clause. Edward Randolph had submitted a report upon the Proprietary Colonies (1491) which set forth clearly, and withal truthfully, that all of them were centres of illegal trade and many of them of piracy also, Rhode Island being as great a sinner in this respect as either the Bahamas or Carolina. A second report from the same hand (396 I.) amplified these accusations; but it was admitted at the same time that in the matter of illegal trade Virginia, Maryland and Massachusetts were as blameworthy as any Proprietary Colony. These two reports of course brought indignant disclaimers from sundry Proprietors (451); and the whole of the Chartered and Proprietary Colonies leagued themselves together to resist the erection of Admiralty Courts by the Crown, and to claim their right to establish such Courts for themselves (506, 511). Immediately afterwards the Board received from the East India Company a series of documents complaining of the havoc wrought in the East Indian seas by pirates fitted out in the American Colonies (517). With the exception of Maryland and Virginia hardly a province was exempted from the charge of piracy. The godly city of Boston was painted as black as the ungodly city of Charlestown; but most significant was the allegation that New York was the worst offender of all the American ports and the King's Governor, Colonel Fletcher, the worst offender in New York. Fresh evidence to the same effect came from other sources; but for the moment the question of piracy was not stirred, though it was soon to assume larger dimensions than had yet been dreamed of. The eyes of Parliament were still fixed exclusively upon the Proprietary Colonies; and in March, 1697, the House of Lords in an address to the King prayed that security should be taken from Proprietors for the due

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execution by their Governors of the Acts of Trade (820). Upon this the Proprietary Colonies set their backs against the wall, and resolved to fight against this restriction to the utmost. The Bahamas, probably the most lawless and disreputable of all the Colonies, were the first to turn. In spite of all protests the Crown shewed every sign of establishing its own Admiralty Courts (774 I.); a very severe circular had been issued by the King for the proper enforcement of the Acts of Trade (958-961); and now although Parliament had given the Crown the right to veto the appointment of the Governors chosen by the Proprietors, yet security was to be required of those same Proprietors for the good behaviour of the very Governors that had been approved by the Crown. The whole history of the struggle is not included in the present volume; for the weight of the new regulations fell at first wholly on the Bahamas, in which the Governorship happened at the time to be vacant. Long and searching were the enquiries as to the fitness of Nicholas Webb, the nominee of the Proprietors (433, 542, 588, 602, 644, 668, 687) before his appointment was confirmed (709, 710); and the sulky recalcitrance of the Proprietors (1065, 1077) shows how bitterly this encroachment of the Crown was resisted. Before long William Penn was to enter the lists and fight by their side; but for the present he contented himself with submitting a scheme of his own for preventing illegal trade (987), which may be compared with the instructions issued by the Board for the guidance of Governors in executing the new Act (1007). Of the objections to these same instructions we shall learn more in the next volume, but meanwhile they are valuable as giving in a succinct form the intent of the Acts of Trade and Navigation—those famous but forgotten enactments upon which turns the whole history of our Colonial Empire for one hundred years.

Successes of the French Arms in America.

But it was not only in respect of the Commercial Code that the Proprietary and Chartered Colonies threw a stumbling block in the way of Imperial organisation.

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The war with France was still in full vigour, though approaching its end; the French were still active in aggression from the side of Canada; and the Colonies were still, as always, disunited. New York was of course ever the principal object of French ambition, but New England also was not spared. In August, 1696, the French attacked Pemaquid with a considerable force and received its surrender after a discreditably feeble resistance (257). The authorities at Boston were energetic and spirited enough to reply to this attack by an offensive counter-movement against the enemy in the Bay of Fundy (185, 243); but even their patience was well-nigh exhausted; and in December, 1696, by an address to the Crown which is famous in history, they for the first time invoked the assistance of the Mother Country for the reduction of Canada, "the unhappy fountain from which issue all our "miseries" (483 I.). The charge of the war, so they complained, had lain heavy on the province; Connecticut had contributed little to it, and Rhode Island and New Hampshire nothing at all. These three were all of them Proprietary or Chartered Colonies, though the Lieutenant-Governor of New Hampshire held the King's Commission. Nothing could persuade them to join together for common defence; and this disunion was due less to reluctance to fight than to bitter jealousy and to a preference for piracy as the most profitable outlet for their combative energy (554).

They are favoured by general disunion of the American Colonies.

If this were the case with the four provinces of New England, much more was it true of the whole group of provinces from New Hampshire to Carolina. At the end of July, 1696, intelligence that Count Frontenac was moving out from Montreal to attack the friendly Five Nations called Governor Fletcher hastily from New York to the frontier at Albany. The invasion was not pressed; but three of the Five tribes came flying into Albany in panic, dreading the enemy which had wrought such havoc among them since 1689. Fletcher wrote to Connecticut and New Jersey for their quotas of troops in this alarm, but without the

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slightest effect (135, 159). A month later he, as usual, paid his annual visit to the Five Nations and found them staunch to the British alliance in consequence of a recent victory, but weary of the war; as well they might be, for they had suffered almost to annihilation from it (371). If they changed sides, it was practically certain that New York, and with it the whole of the British Colonies, must succumb to the French. A new invasion being threatened at the end of 1696, Fletcher decided to take up his quarters at Albany for the winter; and meanwhile the Council of New York pressed earnestly for the King's orders to the neighbouring Colonies to share the duty and expense of the war (412). It is noteworthy that in Virginia and Maryland, where the Governors, Andros and Nicholson, were both of them men who had held the government of New York, some effort was made at any rate to give pecuniary assistance (6, 379), but Pennsylvania, Rhode Island and Connecticut would send not a man nor a penny (14). "The Indians, though monsters, want not "sense," wrote Fletcher, "but plainly see we are not united, "and it is apparent that the stronger these Colonies grow "in parts, the weaker we are on the whole, every little "Government setting up for despotic power and allowing "no appeal to the Crown, but valuing themselves on their "own strength and on a little juggling in defeating all "commands and injunctions of the King." Nor was this criticism altogether unjust, as a perusal of the correspondence (27 IV.-XI.) will shew. But meanwhile the decay of trade had so impoverished Maryland and Virginia that even they became reluctant to contribute further sums for defence, and Maryland actually begged the Crown for exemption (67, 75, 87). In New Jersey on the contrary the labouring class was so well off that the militia refused to march for less than two shillings a day; and though this sum in Colonial currency can hardly have exceeded 60 *per cent.* of the same sum in sterling money, it must none the less be reckoned enormous. But the reason was not far to

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seek. The young men had embarked in numbers on piratical voyages, thus giving to those that remained behind the opportunity of demanding higher wages, which the settlers, by withdrawing to some safe district where they could work in peace, were well content to pay (174).

Efforts to combine the Colonies for defence.

In despair Fletcher sent in May, 1696, two members of his Council to England to represent the hardship suffered by New York in being compelled, as the frontier-province, to bear the whole burden of protecting the rest against French aggression. The Agent for Connecticut was careful to forestal them by an elaborate explanation of the reasons which prevented Connecticut from giving her assistance (203), but his representations seem to have carried little weight with the Board. "Considering how ill the regulation "of the quotas has been complied with by several of the "provinces," the members wrote, "we think that a letter "should be written to the Governors ordering them to make "good their respective proportions" (401). A circular was accordingly despatched to all the Proprietary Colonies to that effect (696-701), with a significant hint against the harbouring of pirates added to it, as if to threaten penalties unless the order were obeyed. Thereupon William Penn at once suggested the insertion of a proviso that provinces immediately threatened by the enemy should be exempt from furnishing their quota (717); the reason for this being that a party of hostile Indians had lately moved in the direction of the Susquehannah, whereupon (though Penn did not mention it) the Quaker settlement, which so far had professed itself unable to afford any help, had suddenly taken the alarm and sent £200 as a present to the Five Nations, or in other words to hire them to defend the province (503). Whatever the shortcomings of the British Government, it must be admitted that the American Colonies were little short of maddening in their blindness, selfishness, jealousy and cupidity. They wished to take everything and give nothing, thwarting the Crown on every possible occasion and yet expecting the Crown to defend them from an enemy which,

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with a little exertion and public spirit, they could easily have crushed for themselves without the help of a single British soldier.

Bad state of the King's troops at New York.

Unfortunately the doubling of the Companies, paid by the King at New York for its defence, from two to four, had led the Colonies to lean far too much upon what was actually a broken reed. In the desperate straits of the British Treasury the authorities at Whitehall had sought to practise economy by taking advantage of the difference in exchange between Britain and New York. This exchange amounted on an average to a difference of 30 *per cent.* in favour of Britain; and accordingly it had been ordered that 30 *per cent.* should be deducted from the pay of all ranks and devoted to the salaries of officers not on the ordinary establishment of a company, such as a chaplain, an armourer and the like. It seems never to have occurred to the wiseacres in London that the cost of all the necessaries of life in New York exceeded that in England by an average of 100 to 150 *per cent.*, and that therefore the soldiers needed all the advantage of the exchange, if not more, to enable them to subsist. Yet the fact had been represented to them fifty times; but indeed two centuries have failed to eradicate this particular form of imbecility from our War Department, so that it is unjust to be unduly severe upon our ancestors. However, the deduction was ordered, and the inevitable result was at once seen in wholesale desertion. Here again piracy and the cupidity of the settlers intervened to produce infinite mischief. The high rate of wages caused by the dearth of labourers was in itself a sufficient inducement to desertion, and this was increased by the deliberate protection of deserters not only by individuals but by the provincial Governments. Fletcher was unable to obtain restitution of deserters from Connecticut except by promising to pardon them. On one occasion fifteen men of an advanced post deserted in a body and, being followed up, turned and fought until five of them had been killed and two more wounded (27 I.). Another difficulty in the way was

Due in part to the Colonies.

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the quality of the officers in these Companies. Lieutenant Bickford, who quelled the mutinous deserters above referred to, seems to have been an excellent soldier; and he was not an Englishman, but a native of New York. Fletcher, it may be observed, had sought to solve the difficulty of recruiting by enlisting Colonists for one year only—the first instance, and a very successful one, of short service in our military history (12, 14)—and on that account alone, therefore, he was wise in giving commissions to Colonial officers. But apart from this it should seem that the young men sent out from England by the favour of the great Whig magnates were of the very worst type. Three of them, named Shanke, Sydenham and Wright, deserted according to Fletcher's account, resigned their commissions according to their own, but at any rate went home without leave, and seem to have been an excellent riddance. Their names continually crop up in this volume (422, 429, 536, 625) at the head of voluminous accusations against their Captains, Wemyss and Hide, and their Colonel, Fletcher himself, of defrauding them and their men of their pay, making false musters and so forth. All of these offences were the rule rather than the exception in the Army in those days, and it is difficult to decide, upon the evidence, whether these officers were guilty of them or not. But on the other hand the account given of Lieutenants Sydenham and Wright by their Captains, together with a letter from Wright himself, leave little doubt that these three lieutenants, though they enjoyed the patronage of such great men as William Blathwayt and the Duke of Bolton, were absolutely unfit to hold a commission. The whole of the documents concerned with this controversy, and particularly Nos. 536 I.-XV. give an insight which is most valuable into the military methods of the time. Officers of the present day will find them to be most amusing reading. The main point, however, is that the root of all these troubles lay in the insufficiency of the pay granted to the garrison by the British Government and the irregularity in the discharge of

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it, whereby both officers and men were left naked and starving (1185, 1283, 1297).

Evil influence of Governor Fletcher.

But perhaps the most disquieting feature in the situation at New York was the character of the Commander-in-Chief, Governor Fletcher himself. So far as the military part of his duties was concerned he seemed to be active enough; but unpleasant charges of fraud, of influencing elections and of connivance with piracy began to multiply against him (217, 262, 543, 544), and the Board, growing suspicious, announced its willingness to receive further evidence upon the subject (495). The man was always clamouring for recruits, arms, ammunition and presents for the Indians, but the Board might well hesitate to supply these if they were only to be embezzled by a rogue. The Five Nations, in spite of all blandishments, seemed inclined to make peace with the French in June, 1697, and were only with difficulty recalled to their old allegiance (1144). It was again difficult to say how far the unwillingness of the neighbouring provinces to furnish help to the Governor of New York might arise from distrust of his personal character. Taking all these difficulties into consideration the Board, though not yet fully apprised of Fletcher's proceedings, resolved if possible to make sweeping reforms. We shall see enough and too much of Fletcher in the next volume: for the present it must suffice to point out that in the old days, when salaries were irregularly paid or not paid at all, the temptation to swell by illicit gain the small emolument arising from legitimate fees must have been difficult to withstand; and that no better method of making them irresistible could have been devised than the old Commercial Code. Fruitful in demoralisation at all times, in time of war it was at its very worst, involving whole communities, from the highest to the lowest, in a huge conspiracy of subterfuge, deceit and fraud.

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New attempt to unite the Governments of America for purposes of defence.

The first step towards reform in the administration of the North American Colonies obviously lay in unification, supposing it to be humanly possible, at any rate for military purposes. To this end the subjection of all Chartered and Proprietary Colonies immediately to the Crown was obviously the plainest means; but this plan, though broached at the beginning of the war, was not now put forward, and the Chartered Colonies survived until the Revolution, when they taught the other provinces the art of self-government. None the less, the law-officers had opined that the Crown had the right to appoint a Commander-in-Chief for the forces of the Proprietary Colonies, and the Board early seized upon this opinion as a solution of the problem of defence (286). There was, moreover, a consensus of intelligent opinion in the Colonies themselves as to the expediency of this measure (358, 651, 653); and one gentleman went so far as to urge that New York should be united for purposes of civil as well as military government with New England and placed under the same Governor.

The Governments of New England and New York united under Lord Bellomont

The Governorship of Massachusetts being vacant and that of New York easily to be vacated by the recall of Fletcher, this idea commended itself to the Board, though it was of course strenuously opposed both by Connecticut and by New York, which city was furiously jealous of being outstripped in importance by Boston (690, 691). The Agents of Massachusetts on the other hand supported the proposal with the greatest zeal, for the precise reason which made it distasteful to New York (704). Finally the Board sided with New England and recommended the appointment of a single Governor for Massachusetts, New York and New Hampshire, who should also be Captain-General of all the forces in Connecticut, Rhode Island and the Jerseys; the said functionary to reside chiefly at New York in time of war, and to have a Lieutenant-Governor both there and at Boston (762). The next business was to choose a man for this important post, and the choice fell upon an Irish peer, Richard Coote, Earl

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of Bellomont (551, 804). After some correspondence as to the powers to be granted to him by his commission (891, 909) and as to his salary (932, 939), he proposed Captain John Nanfan to be his Lieutenant-Governor at New York (1004), who was duly appointed. Advantage was also taken of the occasion to secure recruits and pay for the troops, together with the remission of the 30 *per cent.* deducted from their wages, ordnance stores and presents for the Indians, all of which had long been entreated by Fletcher (1004, 1008, 1033, 1073, 1075). It is worth noting that his commission included the province of Nova Scotia or Acadia, together with the land lying between it and Maine, besides the Narragansett Country or King's Province, the true ownership of which was once again called into controversy at this period, in spite of all previous attempts to determine it (636, 689, 962, 1027, 1202, 1234). For the rest, there was imposed upon him by his instructions the duty of settling not only the new method of administration for the provinces committed to his care, but every question which had troubled the late Committee and the present Board during the past two years (1286-1288).

Troubles in New Hampshire

Of these, though comparatively little was said about it, the Government of New Hampshire of itself promised a sufficiency of work to supply him for several months. That troublesome province still continued to ignore John Usher, the King's Lieutenant-Governor, refusing to vote supplies even for defence, and actually attempting to seize the fort. The people were in fact republicans, and that of a vindictive type, for they did not stick at shooting Usher's horses while at grass in order to show their contempt for his authority. The situation was so serious that Usher at last sent home a special messenger to report it, giving also credentials to another citizen to add confirmatory evidence (282-285). The man was in fact at the end of his patience. For four years he had tried to do his duty, whether his conception of it were mistaken or not, and had been met by stubborn and defiant disobedience in the

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Colony and by absolute indifference at Whitehall. At last he sent home a loyal emissary to lay the state of the case before the Board, and added his own opinion to that of other leading men in the Colonies as to the expediency of uniting the Colonies under a Governor-General (294). This gentleman duly reported his arrival to the Board (570), whereupon the Agents for Massachusetts at once put forward their old claim for the annexation of New Hampshire to that province (652), to which Samuel Allen, the Proprietor of New Hampshire, promptly answered with representations directly to the contrary (672). Meanwhile the rebellious party in New Hampshire, no doubt under the influence of Massachusetts, took the reins of government by force into their own hands; and Usher, having sent a second emissary to report the matter, retired from the province and gave up the government (730, 742). The Agents for Massachusetts took upon themselves to urge the case of the rebels against that of Usher's envoys (1060, 1061, 1096); but the Board after hearing both parties decided that the King's authority had been defied in the person of Usher, and decided to uphold him until Lord Bellomont should settle the whole affair on the spot (1196, 1221-1223). This of course was an evasion rather than a solution of the real difficulty, which was less to reconcile the New England Colonists with any individual Governor than to uphold the royal authority in any shape or form. The republican spirit was strong in those provinces; and while willing to take from the Crown any help that it would furnish, they were resolute in refusing to it the slightest concession in return. "The Boston representatives," wrote Usher (341), "though they send to the King for ships "and men, yet address him for their old Charter." Great and manifold though were the mistakes and faults of the British Government, the chief difficulty with the New England provinces was that they would not deal straightforwardly with it. They would accept a Charter on one day and pass Act after Act in contradiction to it on the next. The

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Board, fully alive to these wiles, kept a sharp eye on the enactments of the Boston Assembly and disallowed many of them, but always in a tone of the mildest correction, as if calling attention to an error unwittingly committed rather than discovering a subterfuge deliberately contrived (604). The reader will find in No. 1281 the exposure of a cunning method for evading the King's disallowance of laws, by enacting them for short periods and re-enacting them just before expiration, so that as fast as they were disallowed they required fresh disallowance, and being valid until such disallowance was notified, remained practically always in force. This was the essential character of these provinces; their ideal of conduct was to over-reach their neighbours. Much has been written of the causes which led to the ultimate rupture between Mother Country and Colonies; but not the least of them was that the Colonies would respect no agreement. If the English had driven the French from Canada in 1697, as they ultimately did in 1760, it can hardly be doubted that New England would then, as it did later, have declared forthwith its independence.

French successes in Hudson's Bay and Newfoundland.

At that time, however, the impotence of England both afloat and ashore was deplorable, and no experience of past errors seemed to teach her wisdom. She was willing to put forth her strength on behalf of the Colonies, but she was utterly ignorant how to turn it to the best account. In the last volume of this Calendar was told the melancholy story of the abortive expedition to Hispaniola, of which a new and interesting, though not quite honest, account by the engineer Lilly appears in the present volume (384). Since the wreck of that expedition had returned home, the French had taken the offensive with far more telling effect than their adversaries, and the British had responded only by the recapture of their settlements in Hudson's Bay, which had been taken by the French in 1694. This latter event is brought before us in the present volume by a series of documents dealing with a wrangle that arose out of the

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terms of the capitulation (471, 524, 560, 568, 569, 592, 593, 760). Next to the great West Indian merchants there were probably few stronger trading bodies in England than the Company of West Country Adventurers which controlled the destinies of Newfoundland; and in November there came up a succession of petitions to the King setting forth the lamentable fact that on the 11th of September, 1696, the French had invaded Newfoundland in force, carried off all that was worth taking, destroyed the rest, and in fact ruined the British settlements (392, 393). This was not the first French attack in this quarter, for they had made an attempt in Newfoundland in 1694, but had been driven off by the efforts of William Holman, a very gallant merchant skipper (417, 1038, 1105, 1106); but their success in their last enterprise had been complete. The lamentations of the ports of Devon were loud, and their demands and representations for convoy, and reconquest incessant (*see* index, West Country Merchants). Accordingly early in January, 1697, the King resolved to send an expedition to retake Newfoundland. Preparations were made for the despatch of a squadron with 750 soldiers (906), and after many difficulties and incredible confusion the expedition sailed on the 11th of April. The merchants did their best to second the efforts of the King, but the lawlessness of the King's officers, who insisted on pressing their men for the King's ships (622, 739, 755, 756), retarded their preparations; and the incompetence of the Admiralty in the arrangement of convoys caused enormous delay (888, 893, 948, 949). The first letter of the Commander, Colonel Gibsone, descriptive of what he found at Newfoundland (1115), shows that even immediately upon his arrival he was seized with apprehensions lest his force should be starved. We shall see more of Gibsone's difficulties in the next volume, and it is sufficient to note at present that the authorities at Whitehall had at any rate the wisdom to exhort Massachusetts to give him all possible help in the matter both of men and of stores (823).

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The French fleet in the leeward West Indies.

This was one Colonial expedition, but not the only one recorded in this volume. Since the failure of the attack on Hispaniola, Jamaica, weakened by the disasters of earthquake, epidemic, yellow fever and invasion, remained trembling for the fate that might be in store for her; and her apprehensions were increased in June, 1696, by the news that a fleet had reached Hispaniola a month earlier and sailed to leeward, apparently for attack on the Spanish Colonies (72, 73). The Council set forth the helpless condition of the island in strong terms (97), and the Governor backed their representations by bitter complaints of the neglect of the island, and of the harm wrought by the British men-of-war, which by unscrupulous impressment of the inhabitants frightened all able-bodied men away, and were thus an injury rather than a protection to Jamaica (101-103). All through the summer and autumn the alarm continued, and the Governor became more importunate for help and more active in his reproaches to the King's Government (130, 163, 222, 232-234), until at last in October he was relieved by hearing that the French fleet, after heavy losses from sickness, had sailed back to France (325). Meanwhile the Board had taken his representations in good part (287) and had made recommendations to remedy the mismanagement which rendered the King's ships so useless to the West Indies. The Jamaica Agents kept the members up to the mark; and when in November there came intelligence of another fleet fitting out in France against the West Indies (374), the Board at once recommended the despatch of an engineer and of fire-ships for its protection (391), warned Jamaica, Barbados and the Leeward Islands to stand on their guard (413-415), and finally begged the King to send out a squadron to combat that of France (453). A squadron was accordingly despatched under Admiral Nevill which, as usual after much delay, arrived at Barbados towards the end of April, passed thence to the Leeward Islands (990) and finally sailed to Jamaica, where it arrived just ten days too late. The French fleet indeed had no design

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upon the English Islands, but had sacked Carthagena; and Nevill just missed intercepting it with the whole of its booty (1080). He then made an attempt upon Petit Guavos, which failed owing to the drunkenness of his men (1201), and after an unpleasant wrangle with the Governor of Jamaica (1184) he sailed to Virginia, where he died. The squadron having touched at Maryland then sailed home, having accomplished little beyond the capture of many French privateers which had long been the terror of Jamaica (1237-1289).

Bad state of the Royal Navy.

In truth, the glimpses afforded by these papers of the state of the Navy do not give flattering views of that service. The abuses by the Captains of their power of impressment were not confined to Jamaica. Everywhere there was the same story of brutality and oppression, often no doubt combined with blackmail, for the King's Captains were greedy for money, probably with some excuse, for their wages must certainly have been in arrear, looking to the depletion of the English Treasury. Some of their methods of making money may be studied in No. 377; some of their most shameful shortcomings in No. 461; and examples of their intolerable presumption and indiscipline appear in Nos. 768 and 1788. Their powers of impressment were abridged (1455); and it is only necessary to study their proceedings to understand how it came about that for long they were left much under the control of the Governors in the Colonies. The only step of progress taken in the Navy was the elaboration of a scheme of reliefs for the King's ships in the North American and West Indian Stations, which indeed was very urgently required (317). The shortcomings of both branches of the military service were, however, saved from further exposure by the Peace of Ryswick, which was signed on the $\frac{10}{20}$ September, 1697, but not reported to the Colonies until some weeks later. Throughout the volume there are indications that there was a general expectation of peace, and indeed the military operations after February,

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1697, bear the semblance of being half-hearted. The efforts of private individuals to retain Nova Scotia at the peace may be seen in Nos. 250 and 921, with a restatement of the old proprietary claims of Englishmen to the same (920, 947). There is also a curious correspondence, shewing the unwillingness of the Colonies to accept shiploads of convicted criminals, even when their populations had suffered much from the war (657, 1134, 1140, 1156, 1157, 1166, 1172, 1190, 1194, 1205, 1216). There is also the opening of a still more remarkable discussion as to the feasibility of settling disbanded soldiers in the Colonies (1379, 1384), an idea which was afterwards realised in the foundation of Halifax, Nova Scotia.

Events in individual Colonies.

For the rest there is little more that demands attention in the various Colonies. New York did indeed engage in a furious controversy with New Jersey when the latter tried to set up a rival port in Perth Amboy, but the controversy was decided in her favour and she was content (1308, 1342, 1358, 1359, 1367, 473). Pennsylvania also embarked in a quarrel with Maryland, which had laid a duty of ten *per cent.* on all English goods which passed through her territory into Pennsylvania and on the beer imported from Pennsylvania into Maryland. Such restrictions were of course unneighbourly, and greatly roused the ire of Penn (478, 716). Maryland on the contrary complained that Pennsylvania harboured all her runaway mariners and servants, took a mean advantage by violating the Acts of Trade (which she herself observed) and equipped and encouraged pirates (1178), all of which statements were probably if not certainly true (1331, 1338, 1383). The Maryland papers contain little of interest beyond a lengthy and valuable report on the existing and former administration of the province, an account of the working of the Acts of the Trade therein, and many curious statistics (862, 1054). Virginia continued her usual sleepy existence, the Assembly bullying the Clergy, and the Council enriching themselves

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by the engrossment of all places of trust and by their claim of immunity from all process of law (53, 93). These abuses, however, and the evil and corrupt system of administering the land (176), attracted the attention of the Board of Trade, which began to ask unpleasant questions (300) and to obtain damaging answers (354). Finally to an official report by the Governor on what are now called the Statistics of the Colony (956, 1131) there was added an unofficial report by a leading Virginian, Henry Hartwell, and a very long and exceedingly able account of the whole administrative and economic system, which was the joint production of himself, Dr. Blair and Edward Chilton (1396). This is, on the whole, the most interesting document that has passed through the hands of the present editor; and it possesses the further peculiarity of being so admirably written that it has hardly been possible for him to abridge a single word of it. The documents concerning Carolina at this period are so meagre as to be unworthy of mention.

In Bermuda there is nothing more important than the persecution of the late Governor, Isaac Richier, by his rascally successor, John Goddard, who, however, was before long to be called to account. There is, none the less, an interesting paper in which the Board of Trade calls attention to the strategic value of Bermuda (487). The Barbados papers consist for the most part of long dissertations upon the importance of the island and of its particular claims to special attention (104, 125); but there are fewer of them than usual owing to the death of the Governor, Francis Russell, and the devolution of his functions upon the President of the Council, "an aged and crazy man" (193). The Leeward Islands continued apparently to prosper under the reign of Christopher Codrington, but anonymous complaints against him were made to Admiral Nevill on his arrival with the fleet, and in September, 1697, a malcontent preferred definite charges against him (1317), which will be followed in the next volume. There are several papers relating to the

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cession of Tortola to the Elector of Brandenburg (382, 490, 1347); and a strong plea for the retention of the whole of St. Kitts at the expected peace (200). In truth in all these possessions the signs of exhaustion by long war are unmistakable; and the loss of a rich convoy outward bound from England was a crowning disaster which made them very eager for peace.

Indeed, the contents of this volume at large may be not untruly described as a study of exhaustion. But in the midst of it the new Board of Trade stands out conspicuous, striving with energy to solve high problems of administration, and working, for the present at any rate, with industry amid untold difficulties to reduce chaos to order.

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COLONIAL PAPERS.

1696.

1696.

May 15. **1.** Commission appointing John, Earl of Bridgewater, Ford, Earl of Tankerville, Sir Philip Meadows, knight, William Blathwayt, John Pollexfen, John Locke, Abraham Hill, and John Methven, together with the Lord Chancellor, the Lord President, the First Lords of the Treasury and Admiralty, the Principal Secretary of State and the Chancellor of the Exchequer for the time being, to be Commissioners for promoting the trade of the Kingdom and for inspecting and improving the Plantations. Any three or more of them are to consider methods of employing the poor; any five of them are to be a quorum. The *ex officio* members are to be called in only when their particular attendance is requisite. The question of obtaining naval stores from the Colonies is particularly commended to their attention. [*Board of Trade.* Journal, 9. *pp.* 1-6.]

May 15. **2.** Minutes of Council of Maryland. On the news of a murder by Indians orders were issued for pursuit of the murderers and for enquiry to be made of the Emperor of Piscattaway. Colonel Ninian Beal received orders to raise the necessary men (*pp.* 105-106). On complaint of the Pocomoke Indians of encroachment on their land, order was given for the bounds thereof to be surveyed and for none to presume to encroach thereon. Commissions issued to the coroners and surveyor of Prince George's County (*p.* 108).

May 16. A letter of excuse for his absence received from Colonel John Courts (*p.* 109). [*Board of Trade.* Maryland, 13. *pp. as cited.*]

May 18. **3.** Minutes of Council of Virginia. On a letter from the Privy Council of 20 March, a day of thanksgiving was appointed for the King's deliverance from a plot to assassinate him, and the Governor announced that he should order all the militia to appear in arms on that occasion; ordered that an address of congratulation to the King be drawn up, also an Association, which were duly drawn and signed by the Governor and Council. The King's letter of 2 June read, accepting the £500 voted for assistance of New York in lieu of the appointed quota. Order for Collectors to give all facilities to homeward-bound vessels to meet at Old Point Comfort by the appointed day. [*Board of Trade.* Virginia, 53. *pp.* 22-24.]

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1696.

May 18. **4.** Minutes of Council of Maryland. The captains of the homeward-bound convoy asking when the fleet would be ready to sail, orders were given to the masters of ships to furnish the information. A letter from Sir Thomas Laurence read, when the Speaker and such Burgesses as were in town, as well as the Chief Justice, were ordered to attend and hear it, to prevent the dispersion of false reports about the province. (*pp.* 109-110.)

May 19. Letter from Whitehall of 10 March last read, and a proclamation ordered for a day of thanksgiving for his deliverance from the conspiracy against him. The King's letter of 2 January as to assistance to New York was then read, and the heads thereof ordered to be published, for the general satisfaction of the province. (*pp.* 110-113.)

May 20. The Nanticoke Indians appeared, one from each of the seven towns, bringing presents of skins. The Governor accepted one skin from each of them, and told them to bring no presents for the future, as their business should receive equal attention without them. He then notified and confirmed Governor Copley's agreement with them, and gave them some bottles of rum. The Governor laid before the justices of the Provincial Court and the lawyers certain questions as to the trial of titles to land. Order for the next Provincial Court to sit on the last Tuesday of September. Ordered that the Council of Trade be asked to give directions as to the attaint of juries. Questions as to appeals and writs of error were submitted to the lawyers of the Provincial Court; the case of a ship seized for illegal trading was instanced. Orders for the sheriffs to return their list of taxables by the 1st of July, taking special care to observe the law and former instructions thereupon, also that they deliver in their accounts of the sums collected from public officers. (*pp.* 113-116.)

Colonel Ninian Beal brought in an Indian, surrendered by the Emperor of Piscattaway, and depositions against him. (*p.* 106.)

May 21. The depositions aforesaid being judged by the law-officers to be insufficient evidence, orders were given by their advice for securing the accused until next Assembly, and for arrest of another suspected Indian. (*pp.* 106-107.) [*Board of Trade.* Maryland, 13. *pp. as cited.*]

[May 21.] **5.** Duplicate copy of the Minutes of Council of Maryland, from 30 April to 21 May. 19 *pp.* *Endorsed*, R. 26 Aug. [*America and West Indies.* 557. *No.* 11.]

May 19. **6.** Copy of a correspondence between Governor Fletcher of New York and Governor Nicholson of Maryland.

Governor Fletcher to Governor Nicholson. New York, 28 March, 1696. I beg to remind you of my last letter of 19 February and of the great necessity there is of giving your assistance according to the late Queen's orders. Many of the forces lately come over have run [deserted] from the hardship they undergo, having only eightpence, New York money, while the country where they are garrisoned is laid waste, so that, without the assistance of the quota, I shall have to make as great a detachment of men from this poor province as formerly, which is a heavier burden than the pay. I therefore again beg for your quota, and that the pay of those that shall be wanting be transmitted for the ease of this province.

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1696.

Governor Nicholson to Governor Fletcher. Annapolis, April 17, 1696. I should have answered yours of 19 February earlier, but that I was in daily hope of the arrival of the London fleet and of good news from England. I send the last news I have, and all my letters inform me that the Parliament will comply with the King's demands and that they agree very well. I am sorry to hear of the hardships of the troops and especially that they have but eightpence, New York money, a day. I shall be glad to be anyways assisting to you, being a well-wisher to soldiers. If all the King's Governors on the Continent will give a tithe of their incomes towards bettering these conditions I shall most readily do it. Meanwhile I shall not be wanting to represent the matter of the quota to the Assembly.

Governor Fletcher to Governor Nicholson. New York, 30 April, 1696. Much thanks for yours of 3 March and 17 April. As I never handled a penny of the public moneys of the Government and do not understand accounts, I have ordered an account of all the money received from Virginia and Maryland to be prepared, and enclose it herewith. I expect the quota of Virginia every day. I must still insist on my application for the quota of Maryland, and desire to know by what time they may be got in readiness, that I may take measures accordingly. None of the vessels expected from England are yet arrived.

Copy of Enclosure. The following Bills have been remitted by Maryland to New York, for the defence of Albany and for presents to the Indians. In 1692 bills for £100 were sent, but with one exception returned protested, the proceeds reaching £47. In 1693 bills were sent for £362, but all returned protested. In 1694 bills for £210 were sent, making with 30 per cent. advance £273, and another bill for £40 which at 25 per cent. advance makes £50. In 1699 two sets of bills for £200 and £133 produced, at 28 and 30 per cent. advance, £478. The total thus received is £799, from which £99 must be deducted for re-exchanges and charges of protested bills, reducing the total amount given to £700, New York money. Virginia from 1691 to 1694 has sent us £1,560, New York money.

Governor Nicholson to Governor Fletcher. Annapolis, 19 May, 1696. Your letter of 30 April and its enclosure, with your former letters, have all been laid before the Burgesses, but presently after its breaking up I received the King's orders of 2 January as to sending you money, which I shall lay before the Burgesses when they meet on the 1st of July. 3½ *pp. Endorsed*:—R., 26 Aug. [*America and West Indies.* 557. *No.* 10.]

May 19. **7.** Memorandum of Charles Pilsworth as to the state of the West Indian Colonies. *This will be found abstracted below, enclosure No. II. to Order of the Lords Justices in Council of 20 August,* 1696. 14½ *pp. Endorsed,* Read 3 July, 1696. [*Board of Trade.* Plantations General, 4. *No.* 1; *and* 34. *pp.* 1-11.]

May 19. **8.** Minutes of Council of Jamaica. On the representations of the Governor it was resolved that Thomas Ayscough and Richard Dawkins be called to the Council, and they were accordingly sworn. Order for a payment. [*Board of Trade.* Jamaica, 79. *pp.* 5-6.]

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1696.

May 21. **9.** Minutes of Council and Assembly of Antigua. Message from the Governor desiring the passing of an Act for Courts, and that the clause forbidding the Council to plead be omitted. The Assembly answered that they thought it too late now to perfect the Act, and insisted that the Secretary and Marshal should give security and the Council be debarred from pleading. The Governor refused to give way about the debarring of the Council, except in equity, and proposed a joint Committee to draw up an Act, and also an Act for quartering of soldiers. On the request of the Assembly the Governor issued writs for the election of Assembly-men, ordered an ill-built guard-house to be rebuilt and agreed to a proposal for building a gaol. Orders for payments. [*Board of Trade.* Leeward Islands, 64. *pp.* 170-172.]

May 27. **10.** Minutes of Council of Jamaica. The accounts of Edward Stanton, late Provost Marshal, audited and payment on account thereof passed. [*Board of Trade.* Jamaica, 79. *p.* 6.]

May 27. **11.** Minutes of General Assembly of Massachusetts. The new Representatives were sworn, and, having chosen Penn Townsend, their Speaker, sent up the list of Councillors elected for the coming year.

May 28. The list of eight and twenty Councillors was approved by the Lieutenant-Governor and the Councillors were then sworn and took their seats. The Representatives attending, the Lieutenant-Governor recommended to them the state of the province in reference to the war, the need of supplies, and the need for renewing expiring Acts. The election of a new Justice of the Inferior Court of Essex was fixed for a full Council on the 4th of June. James Taylor unanimously re-elected Treasurer.

May 29. John Hathorne, Elisha Hutchinson and John Phillips appointed for a joint Committee to consider measures for defending the frontiers and for prosecuting the war, and in particular for removing the French from their settlements in St. John's River. Councillors appointed to form a joint Committee to consider and report of several expiring Acts. The 18th of June appointed as a day of public thanksgiving for the defeat of the plot against the King.

May 30. A Committee appointed to confer with a Committee of the Representatives as to certain proposals to prevent the exportation of coin. [*Board of Trade.* New England, 48. *pp.* 37-42.]

May 29. New York. **12.** Stephanus Van Cortlandt to William Blathwayt. By my last accounts there was a balance in the hands of the Receiver-General of £303. Since that time the income has been very little, the place having had great losses by the capture of vessels in the West Indies. The accounts are now under audit and will be sent home in a fortnight. The Assembly has raised money to fill up the four King's Companies, to give every private fourpence a day besides the King's pay, and to offer £3 in hand to every man that will enlist. Eighty-seven are already detained; only thirty-three are wanting to complete the companies. If the Assembly had taken that care at the Companies' first landing there would have been fewer desertions, the soldiers would have been encouraged and the country

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1696.

eased. *Signed*, S. V. Cortlandt. 1 *p.* *Endorsed*, sent from Mr. Povey 14 Sept. 1696. [*Board of Trade.* New York, 6. *No.* 39; *and* 52. *pp.* 50-51.]

May 30. New York. **13.** Governor Fletcher to the Duke of Shrewsbury. I have received the joyful news of the King's deliverance from the base conspiracies of his enemies, and a day of thanksgiving has been appointed. The Association is signed by me, and copies have been sent to each county to be signed by all officers and inhabitants. One gentleman only in this city has refused, a Roman Catholic. I have sent a copy of his petition to me. The presents for the Indians are not arrived. Our Indians will not bear heavy arms, so I applied for 400 light Dutch fusees for them. I have sent copy of the latest intelligence from the frontiers; the four companies are much weakened by death and desertion. I prevailed with the Assembly to provide £8 a man levy-money to raise 120 volunteers to recruit the company, who are listed for one year. I was obliged to take this method, not being able to get one man from the neighbouring Colonies, notwithstanding frequent application. It is very needful for the subsistence of the four companies to be punctually paid; they are all I can depend on. Mr. Nicolls and Mr. Brooke of the Council are on their way to lay the state of the province before you. *Signed*, Ben. Fletcher. 2 *pp.* *Endorsed*, R. 25 Aug. 96.

Another copy of the foregoing. [*Board of Trade.* New York, 6. *Nos.* 40, 41; *and* 52. *pp.* 4, 5.]

May 30. New York. **14.** Governor Fletcher to William Blathwayt. Yours of 14 March with that of the Lords of Trade reached me on 25 May. I immediately ordered the military expressions of joy for the King's safety, and ordered a day of public thanksgiving by proclamation. An Association was signed and copies sent to the counties, towns and garrisons. We have not ten papists in the province, and those of no rank or fortune. So many packets have miscarried from here that I scarcely know where to begin what I have to say. Sir Edmund Andros from Virginia has sent us bills for £1,000 to assist us. Men, which we want more, he could not send. The disposal of the money will be returned in our accounts to the Lords of Trade and the Treasury. As to my own part I have never touched one farthing of the money either raised in the province or given by our neighbours for defence but by signed warrants by advice of the Council. The £1,000 only amounts to £769 4*s.* 6*d.* sterling. Here we love a great sound and noise, but the substance does not answer. Governor Nicholson has sent us £133 8*s.* 7*d.* sterling, Pennsylvania not a man nor a penny, Connecticut and Rhode Island the same. Such letters I never received as from those two last. What they write looks like English, but I cannot find out their meaning. This regard has been paid to the late Queen's letters, and they pretend to justify themselves by putting their own construction on the Royal commands. The Indians, though monsters, want not sense, but plainly see we are not united; and it is apparent that the stronger these Colonies grow in parts the weaker we are in the whole, every little Government setting up for despotic power and allowing no appeal to the Crown, but valuing

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themselves on their own strength and on a little juggling in defeating all commands and injunctions of the King. I send all their answers to my applications for assistance. The French Indians this spring have destroyed some careless people near our garrisons, of which I send an account. They are wolves who lie so close that no man can discover them. A hare sitting is much easier found in England. The parties that I send out daily they let pass, but if a naked man, woman or child pass they kill them or take them. Our Indians act the same part and with greater success in the French Plantations. No assistance coming from our neighbour Colonies, I could find no way to secure the province except by endeavouring to keep the four Companies up to their numbers, being much weakened by death and desertion. I was forced to enlist men for a year or more (for no man here will be a soldier for life), and thus I have completed the companies and have three hundred effective men on the frontiers and one hundred in this fort. This way is not practised in England, but in Holland and France it has been usual. If the King will allow this method the Companies here will always be complete and save the expense and trouble of recruits from England. The Assembly have given some encouragement to it, allowing levy-money and some advance of pay for one year. The bill will be sent by next opportunity, as it cannot be engrossed in time for this ship. The Richmond frigate is a great expense and of no use, her upper-works very crazy. She was ordered to sea at the beginning of March, but is not yet afloat. *Signed*, Ben. Fletcher. *Holograph.* 3 *pp. Endorsed*, Sent from Mr. Povey, 14 Sept., 1696. Read 25th. Answered 25th. [*Board of Trade.* New York, 6. *No.* 42; *and* 52. *pp.* 22-24.]

May 30. New York. **15.** Governor Fletcher to Lords of Trade and Plantations. A ship belonging to this place from Madeira happily met the vessel that carried your packet from Virginia and brought us a Gazette with the news of the conspiracy against the King. A proclamation for thanksgiving had been published before your duplicate of 10 March came to hand. I am so pressed for time that I cannot send a copy of all our public papers, but I send a list of those despatched by the ship Heathcote. Mr. Brooke and Mr. Nicolls of the Council have been sent home to lay the state of our affairs before you. I have sent home copies of my last application to Connecticut, Rhode Island and Pennsylvania, with their answers. Having only the King's four Companies to depend on and they being much weakened by death or desertion, I have completed their numbers by enlisting men for a certain time, not for less than a year. People here will not enlist except for one, two or three years. If approved, this method will save the trouble and expense of recruits from England, but this can last only so long as the Assembly will keep on the fund for levy money of £3 a man with an advance of fourpence a day for a year. I beg for instructions. Sir Edmund Andros promised his quota but could not effect it, so sent us £769, and Governor Nicholson £133 sterling. Several skulking parties of Indians disturb the husbandry on our frontier, but our Indians do more harm to the French than these to us. Four Dutchmen have been lost through their carelessness in venturing after their cattle unarmed. I always thought five hundred men

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necessary for defence of our frontier posts, but I hope to hold them with three companies so long as I can keep the Indians firm, for which I am obliged to make them large presents lest the French should debauch them. The presents I asked for are not come yet, and we want also 400 light Dutch pieces, for the Indians though strong as horses will not march under heavy arms. I would ask also for military supplies and for punctual payment of the Companies. An Association is signing all over the country, and I have ordered account to be taken of all who refuse it. The Richmond is expensive and useless. The Captain tells me there is no convenience here for careening a vessel of her burden. A light and nimble sailer might do service. A pirate lately came into Providence, as I am informed, where they shared their money, left their ship and separated. Many are gone to the neighbouring Colonies, but only one is here, from whom I have taken security not to depart without leave and to live amenable to the laws. Their treasure was Spanish money; they enrich the Charter Governments. [*Board of Trade.* New York, 52. *pp.* 10-14.]

[May 30.] **16.** A collection of documents transmitted with the three proceding despatches.

16. I. List of documents sent by Governor Fletcher to England by the ship Heathcote on 9 October, 1695. 1 *p. Endorsed,* Recd. 26 Aug. Read 1 Sept. 1696.

16. II. Proclamation of Governor Fletcher and Council for a day of thanksgiving for the success of the King's arms in Flanders. 9 January, 1696. *Printed sheet.* 1 *p. Endorsed,* Recd. 26 Aug. 1696.

16. III. Proclamation of Governor Fletcher for a day of humiliation. 27 February, 1696. *Printed sheet.* 1 *p. Endorsed as the preceding.*

16. IV. Speech of Governor Fletcher to the House of Representatives on 7 April, 1696. Calling upon them to supply men and money, and asking for a committee of them to join a Committee of Council in advising as to the disposal of the money granted last Session. *Printed.* 2½ *pp. Endorsed as No.* I.

16. V. Proclamation of Governor Fletcher calling for volunteers to fill the King's Companies, and offering all who engage for one year £3 in hand, and fourpence a day over and above their provisions. 21 April, 1696. *Printed sheet. Endorsed as No.* I.

16. VI. Peter Schuyler to Governor Fletcher. Albany. 14 May, 1696. Another man has been scalped over against the Patroon's Island, where there were three in all, two of them unarmed and one armed. He that had the arms was killed. Eight Mohawks of the party of one hundred men have been here. Within these five days they have killed two Indians—those that came over last fall—because they distrusted them, so I do not doubt that our Indians will stand firm to us. I wish you could raise forty or fifty men to do no other duty but to scour the woods daily. If such a thing could be, Abraham

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Schuyler and Simon Young would make the fittest persons for Lieutenants in those parts, but knowing how you are straitened I cannot expect it, but must be content with the hardship we endure, our neighbouring Colonies being so unkind to us. I have just received your letter, and am very sensible of your difficulties in raising money. Nevertheless I have strained myself and have paid my private centinels and serjeants their twelve months' pay, not doubting but that care will be taken for my reimbursement. *Copy.* 1 *p.* *Endorsed as No.* I.

16. VII. Proclamation of Governor Fletcher. Offering £6 reward for every enemy destroyed within three miles of any garrison on the frontier, or settled towns in Albany, Ulster and Duchess Counties. No ships are to navigate the Hudson except armed and at least two in company. 11 May, 1696. *Printed sheet.* *Endorsed as No.* II.

16. VIII. Proclamation of Governor Fletcher for a day of thanksgiving for the King's deliverance from a late conspiracy. 21 May, 1696. *Printed sheet.* *Endorsed as No.* II.

6. IX. Petition of Anthony Brockholes to Governor Fletcher. Being asked to sign an Association to be true to the present Government, I promised to give bond to be true and faithful to the King and to defend this place against any foreign enemy, or asked three or four months' liberty to remove to another Colony. I beg to be allowed to continue my residence in this Colony. *Copy.* 1 *p.*

16. X. Petition of John Cooley to Governor Fletcher. Has long lived peaceably in the city, but being a Roman Catholic asks to enter into bond to be faithful to King William and to defend the city, rather than sign the Association. *Copy.* ½ *p.* *Endorsed as No.* I. [*Board of Trade.* New York, 6. *Nos.* 42 I.-X.]

May 30. **17.** Minutes of Council of Massachusetts. Leave granted to William Alden to go to Port Royal or Menis for a cargo of wheat. [*Board of Trade.* New England, 49. *p.* 27.]

June 1. Boston. **18.** John Usher to Lords of Trade and Plantations. I last night received yours of 13 March, and congratulate you on the happy discovery of the wicked and traitorous design against the King's life. I am hastening to New Hampshire to communicate to the inhabitants what I have received from you, and shall take care that thanksgiving be given to Almighty God for so great a blessing as the King's deliverance. The province itself remains in the same state as I reported in November last, the great complaint and cry being only for provision, for the supply of which I take all the care that I can. I shall always serve the King with life and fortune, and pray for his protection. *Signed,* John Usher. 1 *p.* *Endorsed,* Recd. 20 Aug. Read 28 Aug., 1696. [*Board of Trade.* New England, 8. *No.* 11.]

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June 2. **19.** Minutes of General Assembly of Massachusetts. Letter from the Privy Council as to the discovery of the plot against the King read and laid before the Representatives. The Committee on expiring Acts recommended that they be renewed to the 29th of June, 1697, and that the Act to prohibit exportation of grain be continued to the end of next session. A Bill to that effect was ordered to be drawn. A Bill passed by the Representatives to approve the Treasurer's accounts was received and agreed to. On the petition of the select men of Boston an Act was passed to establish fairs and markets in the town, and sent down for concurrence.

June 3. Act to continue expiring Acts read a first time. Report of the Committee as to preventing exportation of coin received, and a Bill ordered to be prepared. Report of the Committee as to prosecution of the war received and sent to the Representatives.

June 4. An additional Act to the Act as to coin was read. Order for stay of execution levied upon John Dexter by the Treasurer for money which he had not been authorised to collect.

June 5. Committees appointed to consider petitions, and to confer with a Committee of the Representatives as to a Bill to erect markets in Boston. Bill to continue expiring Acts read a second time, amended, and sent to the Representatives. The report of the Committee on the prosecution of the war was received, with the Representatives' vote thereon.

June 6. Bill to continue expiring Acts again read and ordered to be engrossed. Order for payment of £16 to the select men of Hadley for wolves destroyed. [*Board of Trade.* New England, 48. *pp.* 43-48.]

June 2. **20.** Minutes of Council and Assembly of Antigua. Message from the Assembly as to the Courts Act, insisting that the Secretary and Marshal should give security, and that Councillors should be debarred from pleading. The Governor answered that he quite agreed as to the security, and was willing to pass a separate Act for the purpose. Message from the Assembly that they would be ready to consider a bill for quartering the soldiers, on the calling of a General Assembly.

June 3. The Assembly proposed the renewal of the old Act for billeting soldiers, and asked for the Governor and another Councillor to join a Committee of the whole Assembly to regulate the Act for Courts. The Governor concurred. Acts for the Secretary and Marshal to give security, and for billeting soldiers passed. The Governor approved the Assembly's choice of a site for the gaol. [*Board of Trade.* Leeward Islands, 64. *pp.* 172-173.]

June 4. **21.** Minutes of Council of Massachusetts. On news of the late conspiracy against the King, ordered that the appointed oaths be administered to all males over eighteen years of age. William Browne nominated a Justice of the Inferior Court of Common Pleas in Essex County, and Stephen Sewall nominated a Notary Public. Order for payment of £6 15*s.* 0*d.* to George Monk, taverner of Boston, for the entertainment of the Lieutenant-Governor, Council and other gentlemen on the day of convening the Assembly.

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Order for a Commission of the Peace to be made out to three or more of the most sufficient inhabitants of Port Royal. [*Board of Trade.* New England, 49. *pp.* 28-29.]

June 5. Navy Office. **22.** Commissioners of the Navy to Lords of the Treasury. We have directed the officers of the dockyard at Deptford to receive the naval stores imported by Sir Stephen Evans and Sir Henry Ashurst from New England, and have directed the survey of the same not only by our own officers but by three of the most considerable shipwrights in the river, who, in a report of the 3rd inst., think the timber and tree-nails too infirm to be used for the King's ships, but give a better character of the other stores, as their report annexed will show. *Signed,* D. Lyddall, Sam. Pett, Tho. Willshaw, J. Sotherne, R. Haddock. *Copy.* 1 *p. Annexed,*

22. I. Receipt for timber and tree-nails delivered at Deptford dockyard, from New England, 25 May, 1695. *Signed,* H. Hosier, J. Fownes. *Copy.* 1 *p.*

22. II. A second receipt for rosin, pitch, tar and ash-rafters received at the same time from the same ship. *Signed,* H. Hosier, J. Fownes. Deptford, 25 May, 1695.

22. III. Report of the Surveyors of the stores sent from New England to the Navy Board. We have examined these stores, and find, on trial of many of the planks and knees, that the wood in general is of very tender and "frow" substance mingled with red veins and subject to many worm-holes, which are signs of decay. The arms of the knees, at the crotch or bending where the greatest strength is required, are for the most part so much across the grain that they look as if a small strain would break them asunder. The tree-nails are less useful by what we expected in proportion for that service than the others; so that we can by no means approve of them as fitting to be used in the King's ships. The ash-rafters for oars, the pitch, rosin and tar we think will be serviceable for the Navy, though the tar has been found of too hot a temper for the ropemakers. *Signed,* D. Furzer, F. Harding, S. Miller, A. Castle, J. Castle, E. Snelgrove. *Copy.* 1 *p.* [*Board of Trade.* New England, 8. *Nos.* 12, 12 I.-III.]

June 8. **23.** Minutes of General Assembly of Massachusetts. Order for refund to John Dexter of a small sum overcharged against himself by error. Bill as to executions on executors for the debts of testators and intestates read a first time and debated.

June 9. Votes in concurrence with the Representatives for payment for the paving about Boston Town-house, for grant of 500 acres of land to Samuel and Hannah Sewall, and for an action of Samuel Gibson to be reheard. Bill to continue expiring Acts again read and enacted. Bill for levying executions on executors read a second time. Order for certain justices and select men of Bristol and Duke's County to attend and answer the charges of denying a jury, raising money on people without their consent, and refusing an appeal. The appeal of Joseph Richardson also granted in concurrence with a vote of the Representatives.

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June 10. A Committee appointed to consider the petition of the inhabitants of the West side of the River Springfield for settlement of a ministry among them. Bill for a market in Boston received from the Representatives and read a first time.

June 11. Voted in concurrence with the Representatives that £25 be allowed for encouragement of a Post Office for the ensuing year. Committee appointed to confer with a Committee of the Representatives as to redress for the complaints of the towns of Enfield and Suffield owing to the molestations and claims of Connecticut, and also as to redress for masters of families who are impressed for the King's ships. Bill for a market in Boston read again and ordered to be engrossed. Order for payment of a soldier, whose debentures and orders thereupon have been lost.

June 12. Voted in concurrence with the Representatives that £30 be paid to Major Charles Frost, and £40 to the maintenance of the ministry at the garrisons of Deerfield and Dunstall. The appeal of Samuel Gibson was heard.

June 13. The Report of the Committee appointed to enquire as to the grievances of Enfield and Suffield and the hardships of impressed men was read, recommending that a duplicate of a former letter asserting the claims of Massachusetts be written to Connecticut, that assurance be given to Enfield and Suffield of support in maintaining their rights, and that the Governor interpose his authority to regulate impressment. Voted accordingly. Bill for a market in Boston again read. Proposals as to prosecution of the war received from the Representatives, and deferred for further consideration. [*Board of Trade.* New England, 48. *pp.* 48-56.]

June 9. **24.** Minutes of Council of Barbados. Sundry accounts passed. An address praying that the fees in the public offices may be regulated was read, with a copy of complaints of extortion of exorbitant fees. Mr. Cranfield, against whom as chief Custom-house officer some of these complaints were directed, made answer to them, which answer was considered sufficient. The Governor, however, directed the table of authorised fees to be hung up in all the offices. On a petition of ships' masters to be allowed to sail, it was ordered that all the ships for Europe shall sail together, when the Play, prize, returns from Antigua.

June 10. The Judges of the Court of Common Pleas attended and made their defence against the complaints against them, which the Council unanimously decided was insufficient, and directed that they should be removed and new Judges appointed. [*Board of Trade.* Barbados, 65. *pp.* 100-103.]

June 10. New York. **25.** Governor Fletcher to Lords of Trade and Plantations. Since my last I have received an answer from the Governor of Pennsylvania to my application for assistance, and the draft of a Bill, of which copies are sent herewith. You will see that the people have as little regard for their proprietor, Mr. Penn, as for the King's service, and are endeavouring to erect a new model of Government of their own invention and by their own authority. The town of Philadelphia in fourteen years' time is become nearly equal to the city of New York in trade and riches. The hardships of this province in defence of the frontiers and the debauching of our

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people had driven many of them thither to enjoy their ease, and there being no duty upon trade in that Colony it is a discouragement to the trade of this province, whose inhabitants are left solely to bear the burden of the war, while they of Pennsylvania grow by our hardships and derive all their protection from our forces. The Council and present Assembly of this province are willing to act to their power for the preservation of it, their greatest discouragement lying in the inequality of their circumstances with their neighbours of Pennsylvania, the Jerseys and Connecticut, who are all free from duty and were formerly part of the province. I found two Frenchmen in the companies that came last from England, Roman Catholics. I now send them back to be exchanged or otherwise disposed of. Our agents, Mr. Brooke and Mr. Nicolls, are taken into France and have lost all their papers and instructions. I have now transmitted copies, if they are come to England. I just now received an answer from Connecticut to my applications for assistance, of which copies are transmitted. You will see that nothing is to be got from them but words. I asked them last winter for a company at their own charge, leaving them to nominate their officers, which they evaded. I have since desired only sixty men for one year to fill up the companies. I offered £3 levy money, arms, ammunition, victuals and pay. Their Assembly now offer fifty-eight men and two officers for four months unless they see fit to recall them earlier, provided I send into their country the arms and provisions and perform all that I offered, with pay for their officers. This would be very expensive, and cannot be performed, as I have no fund to pay the officers and other charges. I have no encouragement to believe them, having met with so many evasions and disappointments. I have recruited the companies and shall do my best with the forces at my disposal, but I still think 500 men the least number sufficient for security of the frontier. Several Quakers in New York, from pretence of tenderness of conscience and aversion to the carnal weapon, will not sign the Association nor take an oath. I have ordered them to be released. I have sent a list of reputed papists in New York. They are all disarmed and bound to give bond for good behaviour or be confined in prison. *Signed*, Ben. Fletcher. 3 *pp. Endorsed*, Recd. 26 Aug., 1696. Read 28th. Answd. 25 Sept. [*Board of Trade.* New York, 6. *No.* 43; *and* 52. *pp.* 6-8.]

26. Governor Fletcher to Lords of Trade and Plantations. The desertion from the companies and recruits sent last from England was encouraged by the great wages given to labourers in the neighbouring Colonies, where the people protected and concealed them, pretending charity lest they should be put to death. Thereupon I issued a proclamation promising pardon to such deserters as should return to their garrisons within a certain time, and assured the Governor of Connecticut that such as he sent back or returned voluntarily should be pardoned. Several were returned and some came back of themselves. On the 10th of January last at Senectady, the advanced garrison of this province towards the French and their Indians, the whole guard deserted in the night and marched off with their arms. Lieutenant Bickford, the officer who commanded

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there, pursued them about twenty miles, killed some and made all the rest prisoners, who being tried by court-martial were all condemned to die. One of them suffered, but the rest being very penitent and men very scarce in the country, I, on the petition of the men and officers, granted them mercy, of which I hope the King will approve. The Lieutenant's letter and all the papers to do with the proceedings are transmitted herewith. *Signed*, Ben. Fletcher. 1½ *pp. Endorsed*, Recd. 26 Aug. 1696. Read 28th. Answd. 25 Sept. 1696. [*Board of Trade.* New York, 6. *No.* 44; *and* 52, *p.* 9.]

[June 10.] **27.** A collection of papers transmitted together with the two foregoing despatches.

27. I. Lieutenant Abraham Bickford to Governor Fletcher. Senectady. March, 1696. On the 10th of January about midnight the whole guard except one deserted. The others to the number of sixteen broke through the north-west blockhouse next the water's side, and drew the charges of the great guns. About two o'clock in the morning I went to visit the guard, but finding none sent express to Colonel Ingoldsby and pursued them myself with ten inhabitants and eleven soldiers, but was forced to leave the serjeant with seven red-coats in the woods, they not being able to march as the expedition required. There was a little snow, and as the deserters kept a path all night I followed on their tracks, but as soon as it was day they left the path and steered by the sun. About four o'clock in the afternoon I came up with them, being within two pikes' length before I discovered myself. I commanded them to lay down their arms. They returned no answer but with presented muskets. We having the advantage of being presented at them made the first fire, with which two or three fell. The rest immediately fired briskly on us and we on them for a considerable time, during which I still called on them to lay down their arms and that there was another party near them. But they still held out firing till seven of them lay on the ground, and then the rest surrendered. Five are dead, and the other two not yet recovered of their wounds. I had my party sworn by Colonel Ingoldsby's order before Capt. Sanders Glenn, justice of the peace, to satisfy you of what I said to the deserters both before and during the action, and enclose copy of the depositions. My men were so advantageously posted that, God be thanked, none were shot or wounded. We have a strong and regular fort here built by the inhabitants, with foot-works and a stone magazine, fit for the garrison. There has been no news from the enemy this winter. *Copy.* 1¼ *pp.*

27. II. Sworn statement of the men with Lieutenant Bickford as to his calling on the deserters to surrender before he fired. Senectady. 14 March, 1696. *Copy.* 1 *p. Endorsed*, Recd. 26 Aug. 1696. Read 1st Sept.

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27. III. Minutes of a Court Martial held on the deserters, on 21st April, 1696, Colonel Richard Ingoldsby, President, two captains and five lieutenants members. The whole were found guilty and sentenced to be shot. *Copy.* 5 *pp.* *Endorsed* as *No.* II.

27. IV. Governor Fletcher to Governor Treat of Connecticut. 20 April, 1696. Our frontiers being much weakened by death and desertion, I have prevailed with the Assembly to provide pay for 120 men, being the quota assigned to your Colony by the Royal mandate. Yet to make all things easy, I desire you to send sixty men to Albany, who shall be furnished with the King's arms and ammunition, victuals, lodging and pay, and remain in the service one year from their arrival at Albany. They shall have £3 a man in their hands on their arrival, and if you think fit that they, or some of them, should be relieved in a lesser time by others, it shall be granted, provided that every man relieved before his year is out return thirty shillings of his advance-money to the man who relieves him. I should like them to be got thither some time in May next. It will be a great advantage to the youth of Connecticut to be taught the use of arms after the modern way of the King's army. When these return they will be able to instruct the others. Your compliance herein will be fairly represented to the King and acknowledged by myself. *Copy.* 1 *p.*

27. V. Governor and Council of Connecticut to Governor Fletcher. Hartford, 22 May, 1696. Yours of 20 April and 11 May are before us. We acknowledge that our loyalty to the King's interest obliges us to our utmost to prevent any damage that may happen thereunto, so we have concluded to send a Captain and Lieutenant with fifty-eight men to Albany to join your forces and the quotas of the other Colonies. We shall commissionate one captain and lieutenant to lead our men to Albany and receive your orders, you, according to your letter, finding arms, ammunition and provisions. We desire that you will order these arms, ammunition and provisions to be sent to Milford in readiness for the soldiers to march with, and at the place where our soldiers receive them we shall order them to be returned. Our General Assembly has agreed that the men shall be with you for defence of Albany until the 31st of October next, unless we be invaded meanwhile and want them at home. We shall raise our officers and men as soon as we receive your compliance herewith. *Signed,* Eleazar Kimberly, Secretary. *Copy.* 1 *p.* *Endorsed as No.* II.

27. VI. Secretary of New York to Governor Treat. 26 May, 1696. The Governor has submitted your letter of 22nd to the Council, who finding it to be no answer, but an evasion, have bidden me to acquaint you thereof, and that they are sorry you should so forget your duty as to

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trifle with the King's interest and your own preservation at a time when more than ordinary affection to the King is required from his subjects. The Governor's letter is plain and free from mystery. He expects the like answer from you, and that you will order the men to march to Albany, where he will fulfil the agreement which he has proposed. He will find them officers; his commission for the militia of your Colony is not repealed, so the power of appointing officers is lodged in him. *Signed*, David Jamison. *Copy.* 1 *p. Endorsed as No.* II.

27. VII. Governor and Council of Connecticut to Governor Fletcher. Hartford, 30 May, 1696. Your letter of 26th has been read in Council, whereby we understand your dissatisfaction at the General Court's letter of the 22nd, which we conceive to proceed from want of charitable and right understanding thereof. Their intent was to send a rational and plain answer to your former letter, such as might attest their loyalty to the King's interest and orders, and, as far as might be, comply with your own proposals. You said you would furnish our men with arms, so it seemed rational to the General Court that the arms should be conveyed to some convenient place, that our men might march with them for their defence through the woods, where you cannot but expect that they may be alarmed on their way. Also it seemed most for the King's interest that our soldiers should have officers from among ourselves, for we hope we have men fitted to command against such enemies as infest our frontiers in these parts, and if our soldiers have officers whom they know and love they will be more free to attend the service and more forward and courageous against the enemy. This is so reasonable a thing that we doubt not the King would approve it and would grant our soldiers such encouragement. If you do not concede this to us you will find our soldiers very unwilling to march to Albany. On their arrival there they were ordered to attend your further orders, which we conceive to be rational on our parts. We do not desire to elude or be mysterious in our letters, neither do we say your commission is repealed; yet we know it is restrained, and we therefore desire your Council to be charitable towards those who sincerely intend the King's service and the defence of good subjects according to our power, and we depend on you for arms, ammunition, provisions and pay. You may remember that in your former letter you appointed us to order a captain, two lieutenants, two drummers, etc., for one company which you desired us to send to Albany, which makes us a little startled at your present statement that you will find our soldiers officers. You do not mention that you have summoned quotas from any of the neighbouring Colonies which are ready to join us, as we

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expected. If you do not accept our proposals we leave it to your further consideration. *Signed*, Eleazar Kimberly. *Copy.* 1½ *pp.*

27. VIII. Governor Fletcher to Governor Walter Clarke of Rhode Island. 24 April, 1696. I have frequently applied to your Colony for the quota of assistance assigned to you by the Royal mandate, forty-eight men, but so far have not obtained one man nor assistance of any kind. The copies of the answers sent to me I sent to be laid before the King, and hearing of your coming to the Government I was apt to expect more dutiful compliance with the Royal commands. To make things easy I desire you to send forty-eight men, or such number of them as you can get, at your charge to New York. I will provide arms, ammunition, victuals, lodging and pay, and they shall remain on the frontier one year. They shall have £3 a man paid into their hands on arrival. If possible let them be here at the end of May or beginning of June. It will be an advantage to your youth to learn the use of their arms after the modern way of the King's army. *Copy.* 1 *p.*

27. IX. Governor Clarke to Governor Fletcher. Newport, Rhode Island. 14 May, 1696. Your letter was laid before the General Assembly on the 6th inst. You say you have applied for forty-eight men for defence of the frontier, that you have never obtained one, and that our answers have been sent home to be laid before the King. Since those letters are before him we are ready to submit to the King's decision, believing that he requires no impossibilities from his subjects. In proof thereof we note in the late Queen's orders that if the Governor or Commander-in-Chief draw off any forces in the time of invasion, he should not leave the Colony unprovided from whence the forces are drawn. We are not unwilling but ready to serve the King with our persons and estates, but several of our towns, forming a considerable part of the Colony, are detained from us by Massachusetts, which incapacitates us. If we part with our men it may be not only the overthrow of this Colony, but may endanger the rest of the Colonies, for the following reasons. First, we have three inlets where no forts can be erected to annoy an enemy lying near, four miles fronting upon the ocean. Also in moderate seas an enemy may land in almost any part of the Government, so that our greatest security consists in suitable numbers of force to watch their motions at the several suspected places, so that we find our all, if attacked, is too little for the defence of our frontier, which lies in as much danger as that of any Colony. I hope you need not question that, as we have formerly always had good correspondence with New York, we wish to continue it.

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Since writing the above a privateer from Jamaica has come in with a small prize. *Copy.* 2 *pp.* *Endorsed as No.* II.

27. X. Governor Fletcher to Governor William Markham of Pennsylvania. 29 April, 1696. Requiring of him the quota of men for his province, and asking when they will be ready. *Copy.* ½ *p.* *Endorsed as No.* II.

27. XI. Governor Markham to Governor Fletcher. Philadelphia. 26 May, 1696. I wish that I could send you a satisfactory answer. The Assembly drew up the enclosed Bill, which if I would not pass they were resolved to raise no money, and if I would pass they had provided to raise £200 for New York. It is true that the Proprietor has granted them a large charter, which on his restoration to the Government I tried to put in execution again. I issued out writs to form a Provincial Council and Assembly, as they call it, and when they met and had performed the usual ceremonies, they thought the charter granted by the Proprietor too short, and this a fit time to get a larger, and therefore unanimously declared the old one void. I tried to convince them, but in all the three weeks of their sitting they could not be moved from their first design. I never was for the Proprietor's form of government and doubted if he had power to grant many things in it; but I know very well it was forced from him by friends who unless they received all that they demanded would not have settled the country. Since they refused the old charter, thereby releasing the Proprietor from his obligation to them, I had no reason to bind him again, and that faster than he had bound himself before. They would not allow that they were a General Assembly according to the writs that called them, according to the Proprietor's charter, but by a strange kind of logic disputed that they were not qualified to make laws without this or some other Bill like this to qualify them for it. As if the passing of this Bill were not an act of legislation. As my assistant would not consent that I should call an Assembly after the manner of other Governments I thought it best to avoid contention and to refer the question to the Proprietor himself for his directions. Till these come no Assembly can be called here. So much in answer to your demand of our quota. *Copy.* 2½ *pp.* *Endorsed as No.* II.

27. XII. Order of Governor Fletcher for return of a list of Roman Catholics in the City of New York. 13 June, 1696. *Inscribed.* A list of the said Catholics, ten in all, certified by the Mayor. 1 *p.* *Indorsed as No.* II. [*Board of Trade.* New York, 6. *Nos.* 44, 44 I.-XII.]

June 10. Navy Office. **28.** Commissioners of the Navy to Lords of the Treasury. We have received a paper of charges for the Naval stores imported by Sir H. Ashurst and Sir Stephen Evans, and gave order for

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making out an imprest for satisfying those gentlemen. On comparing the invoice with the stores received we find some articles wanting and others in excess. We observe that the invoice showing the first cost of the goods and expenses of importation amounts to £3,006, which with £55 from Customs makes £3,061. But the invoice is not signed, nor is there any voucher for the payment of that money abroad nor for insurance and other charges, though Sir Henry Ashurst this morning affirmed to us that the account of this invoice is the very same that he had from New England. We must also observe that if this £3,006 was defrayed by those gentlemen in New England, the difference between that and this country's money is as 125 there to 100 English, which will reduce the account to £601. This and the want of vouchers according to the method pursued in this office, are the reasons for our requesting from you further directions. *Signed*, R. Haddock, D. Lyddall, J. Pett, J. Sotherne, Tho. Willshaw. *Copy.* 1¼ *pp.* [*Board of Trade.* New England, 8. *No.* 13.]

June 11. **29.** Minutes of Council of Massachusetts. Order for proclamation for three Indians of Barnstaple County, who have been convicted and sentenced for offences by them committed, to surrender themselves within fifteen days on pain of being treated as enemies. Order for payment of thirty-eight shillings for subsistence and custody of twenty seamen impressed for the King's service. [*Board of Trade.* New England, 49. *pp.* 29-30.]

June 11. **30.** Minutes of Council of Nevis. Orders for the trenches to be repaired and for victuals to be provided for the recruits of Russell's regiment going to Barbados. [*Board of Trade.* Leeward Islands, 64. *p.* 350.]

June 12. **31.** Minutes of Council of Jamaica. Order that all payments excepting the salaries of the Governor, Chief Justice and Captains of forts (which shall have precedence) shall be paid in order of date. Orders for payments for hire of ships for the King's service. Orders for sundry payments. The Receiver-General returned his accounts, which were examined and entered in full on the Council-book. [*Board of Trade.* Jamaica, 79, *pp.* 6-9.]

June 11. **32.** Minutes of Council of Virginia. Captain John Battaile of the militia in Potomac and the ferryman on the river were summoned to answer for refusing to forward an express with news of a murder by the Indians. The Governor laid before a Council a list of surveyors, received from Mr. Blair, President of the College. [*Board of Trade.* Virginia, 53. *p.* 24.]

June 12
Annapolis, Maryland. **33.** Governor Nicholson to Lords of Trade and Plantations. I have received yours of 10 March and 17 May, and pursuant to orders have ordered a day of thanksgiving for the deliverance of the King from the design against his life. I was very unfortunate that the Assembly broke up only a few days before your commands arrived, in that I could not sign an address to the King nor enter into an Association with them (though I transmit herewith our address of congratulation to the King), but the Assembly is to meet (God willing) on the 1st of July, and I am not without hopes of sending

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it by this fleet, or, if not, by the ship which brought your order. I think it best that they should be first done by the General Assembly of the country, for since I have known these parts I have observed that what they have done in this nature hath a mighty influence over the whole. But I design (God willing) that the Provincial and County Courts shall sign them, and the militia too. I have received the King's orders of the 2nd of January as to New York, and I have made the head of it public, thinking that it was for his service. I doubt not that when the Assembly meets they will acknowledge the King's great grace and favour in the affair. *Signed*, Fr. Nicholson. 1 *p.* *Endorsed*, Recd. 26 Aug. 1696. Read, 28th. Answd. 25 Sept. 1696. *Enclosed*,

33. 1. Address of the Council and Burgesses of Maryland to the King. Congratulating him on his successes in war and on his safe return from Flanders. *Signed*, Fr. Nicholson, and by seven of the Council; Kenelm Cheseldyn, Speaker, and by thirty-nine Burgesses. *Large sheet.* *Endorsed*, Recd. 26 Aug. 1696. [*Board of Trade.* Maryland, 3. *Nos.* 3, 3.1; *and* (*without enclosures*) 9. *pp.* 3-4.]

June 12. **34.** Duplicate of the foregoing despatch. *Endorsed*, R. 26 Aug. '96. [*Board of Trade.* Maryland, 3. *No.* 4.]

June 12. Annapolis, Maryland. **35.** Governor Nicholson to the Duke of Shrewsbury. I send the Journals of Council and Assembly, and other papers. We have had little rain in the lower parts of the province, and I have an account that it is so in most parts of Virginia, so if it please God that it continues there will be a scarcity of corn, provision and tobacco, but when the London fleet arrives, I hope it will cheer up people's spirits, bringing us news of the King's perfect health, and of his entire victories over the enemy by land and sea. *Signed*, Fr. Nicholson. ½ *p.* *Endorsed*, R. 26 Aug. [*America and West Indies.* 557. *No.* 12.]

[June 12.] **36.** List of the enclosures sent in the same packet with the foregoing letter. *Signed*, Fr. Nicholson. ½ *p.* [*America and West Indies.* 557. *No.* 13.]

June 13. **37.** Minutes of Council of Virginia. On the representation of Captain Harry Beverley, it was ordered that the sloop commanded by him be paid off and discharged from the King's service, and that another vessel be hired in her stead. Order for the Surveyors to bring a list of their fees to the next Council. [*Board of Trade.* Virginia, 53. *p.* 25.]

June 15. **38.** Minutes of Council of Virginia. Order for publication of the King's proclamation of 23 April for apprehending the conspirators against his person. Mr. Secretary Wormeley being disabled by frequent affliction of gout asked leave to appoint Edmund Jenings to be his deputy, who was approved and sworn in. Warrants for salaries and other expenses signed. [*Board of Trade.* Virginia, 53. *pp.* 25-27.]

[June 15.] **39.** Duplicate copy of the Minutes of Council of Virginia from 16 April to 15 June, 1696. [*America and West Indies*, 638, *No.* 30.]

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June 15. Jamaica. **40.** Governor Sir William Beeston to Lords of Trade and Plantations. Since my last of April, asking for the appointment of more Councillors, the Assembly has met but could not proceed to business for want of a quorum in the Council. There were seven remaining, yet by reason of indisposition in some and distant residence of others the number could not be made up on all occasions, so that I was obliged to call up Thomas Ayscough and Richard Dawkins, whom I have already recommended and now beg may be confirmed. I should not have done it could the service have been carried on without such addition, for Colonel Knight (who is one of the Council) commands the fort and regiment at Port Royal, and I dare not take him from thence in these dangerous times, lest the place should be attempted or surprised in his absence. The pirates that ran away with one of Don Arturo Oburn's ships from Corunna have been in the Red Sea and gotten great wealth, up to £300,000, it is reported. They are arrived with it at Providence and have sent privately to me to try if they could prevail with me to pardon them and let them come hither; and in order to it I was told that it should be worth to me a great gun (£20,000), but that could not tempt me from my duty. I have written more at large hereon to the Duke of Shrewsbury. The Assembly has passed an Act for the quartering of the soldiers that are here and may be sent hither, also an Act for the governing of negroes, which I hope will be confirmed. They are providing two or three bills more, which I hope will be finished in eight or ten days, and then the Session will end. One of the bills is, by my persuasion, to appropriate the additional duty on wines and negroes (which was designed to encourage people to come hither, and to pay their passages) to the revenue. This revenue, by the management that I have used, in spite of its late indebtedness, the expenses caused by the war, and the small income owing to want of trade, will by this assistance be, I hope, quite out of debt in six months. Nevertheless I cannot persuade the Assembly to make a new bill for the revenue. The chief reason that they give is that they are unwilling to have it perpetual and hope that you will not lay the bill now in England before the King, as it was passed by an unduly-elected Assembly. I represented to them that the said bill had lain for some years not presented to the King because an equivalent was expected. In answer they say that if they must have fetters they would rather have them put on by others than by themselves, so that it seems to me that there will not be a settled establishment of the King's revenue here till you lay the bill aforesaid before the King for confirmation. *Signed*, Wm. Beeston. *Holograph.* 1½ *pp.* *Endorsed*, Read 5 Nov., 1696. Answd. 23 Nov., 1696. *A short abstract is attached.* [*Board of Trade.* Jamaica, 8. *No.* 6; *and* 56. *pp.* 22-24.]

June 15. **41.** Minutes of General Assembly of Massachusetts. Bill for a market in Boston again read and enacted. John Walley, Commissioner of Imposts, etc., made oath to his accounts. The Representatives sent down their vote on the complaint of Samuel Gibson, that he should be allowed re-trial of his case; which was read in Council and not concurred with. A similar vote as to the complaint of Joseph Richardson was also read and not concurred with.

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June 16. Voted in concurrence with the Representatives that John Walley's accounts be passed, that the Treasurer's salary be paid, that £50 be paid to Increase Mather, and that a draught of a letter to Connecticut as to boundaries be approved. A bill for a tax of £6,344 was received from the Representatives and read. Order, for encouragement to prosecute the French and Indian enemy, that if any suitable person offer to command a company and raise that company he and his men shall receive £50 for every Indian man, and £25 for every Indian woman or child, male or female, under fourteen years of age, taken or brought in prisoner. The scalps of all Indians slain must be produced. Ammunition, provisions and pay will be given so long as the men continue on service, but pay shall cease on their return to any village or garrison, for the length of their stay. Maimed or wounded men will receive allowance for cure and pensions. On the frontiers the same allowance will be made to any town that moves to the relief of another town, if they have pursued the enemy further than they can expect to return within twenty-tour hours; otherwise wages will be withheld. This order to continue in force for six months. Bill against piracy read a first time. Petition of Elisha Cooke, John Wiswall and John Floyd, for review of an adverse judgment as to certain lands, granted.

June 17. Bill against piracy and bill for the tax again read, engrossed and enacted. Voted in concurrence with the Representatives that £300 be paid to the Lieutenant-Governor for his service of last year, that there be a conference as to the cases of Samuel Gibson and Joseph Richardson, and that payment be made to Henry Dering and Thomas Newton for work done for the Representatives. James Taylor took the oath as Treasurer. John Walley chosen Commissioner of Impost. Two votes for relief of constables. The Assembly was adjourned to the 16th of September. [*Board of Trade.* New England, 48. *pp.* 56-64.]

June 17. **42.** Minutes of Council of Nevis. H.M.S. Hastings having brought in three prizes it was ordered that a sloop be impressed to convey the prisoners to the Governor. Order for a gun to be sent to the Lieutenant-Governor's house to use for alarms. [*Board of Trade.* Leeward Islands, 64. *p.* 350.]

June 17. **43.** Minutes of Council and Assembly of Antigua. On the Governor's proposal the Assembly approved the provision of victuals for the soldiers of Russell's Regiment. Orders for certain payments. With the Governor's consent the date of the Act for the Secretary and Marshal to give security was altered. Certificate of the Governor, as to the capture of certain Indians for which a reward is claimed, sent down to the Assembly. The Governor then sent down to complain of certain words spoken in the Assembly about the said certificate, to which the Assembly answered that to be called to account for words spoken in the House was a breach of privilege. [*Board of Trade.* Leeward Islands, 64. *pp.* 173-175.]

June 17. **44.** Minutes of Council of Massachusetts. On the application of Mr. John Usher leave was granted for a ketch to go to Menis for a cargo of wheat. [*Board of Trade.* New England, 49. *p.* 31.]

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June 17. London. **45.** Lords Proprietors of Carolina to Governor John Archdale. We have received yours of 30 October and 22 November. You will find in our last an expedient agreeable to that which you mention for satisfying Berkeley County. You may also add two members to Colleton County, but the rights of Craven County must be continued. You say that the Assembly would undertake to pay our debts, amounting to £1,700, to Moreton, Colleton and Smith, that they will build a fort, and that they will pass an Act to secure our quit-rents. On these conditions we will discharge the arrears of quit-rents, and empower you to assent to an Act for the purpose. We hear from your son-in-law (your own letters having been thrown overboard in passage for fear of a French privateer) that you are sending him £500 for land sold in specie, and £500 more in commodities, which we approve. We daily expect the arrival of your son. *Signed*, Craven, Bath, Ashley, William Thornburgh for Sir John Colleton, Tho. Amy. [*Board of Trade.* Carolina, 4. *p.* 32.]

June 18. Whitehall. **46.** Order of the Lords Justices of England in Council. Referring the petition of William Bowtell and Thomas Wenbourne, merchants, to the Council of Trade and Plantations for report. *Signed*, John Nicholas. ½ *p. Annexed,*

46. 1. Petition of William Bowtell and Thomas Wenbourne. Seth Sothell, late Governor of Carolina, was indebted to us in the sum of £296 and £148, as we can prove by bonds under his hand. Sothell died in Virginia, leaving as sole executrix his widow, who married John Lear and is since also dead, leaving all Sothell's personal estate to the said Lear. This Lear refuses to pay Sothell's debts, and by the arbitrary and illegal method set up by the Governor and Council of Virginia neither Lear nor any other of the said Council are compellable to pay either their own just debts nor those which they owe as executors. For in 1680 they settled a rule in the General Court (where they sit as judges without having taken any oaths as such) that none of the Council shall be liable to any action whatever for any matter or reason whatever, the reason being that it is inconsistent with their honour, so that it is at their own discretion whether they will answer to any action. This method being observed (as hitherto it has been by all of the Council) all persons who have any concerns in their lands must suffer greatly, for as no process in law can touch their persons, so neither shall it affect their estates. We beg for your Excellencies' order that John Lear may not be protected by any such contrivance, but that we may have the same remedy against him as though he were not of the Council. 1 *p. The whole endorsed.* Read, July 13, 1696. [*Board of Trade.* Virginia, 6. *Nos.* 1, 11.; *and* 37. *pp.* 1-3.]

June 19. **47.** Memorial of William Bridges to the Lords Justices of England. Begging on behalf of Governor Russell for permission for him to accept a present lately made him by the Assembly of Barbados. *Signed*, Wm. Bridges. 1 *p. Endorsed*, Recd. 10 July, 1696. [*Board of Trade.* Barbados, 7. *No.* 3; *and* 44A. *p.* 1.]

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June 19. Jamaica. **48.** Governor Sir William Beeston to William Blathwayt. I have little to say since my last, except that the Assembly is drawing to a conclusion, and that the laws passed shall be sent by next opportunity. I cannot persuade them to renew the bill for the revenue, so, for a certainty to the King, it would not be amiss to recommend the bill that you have already for the royal assent. We have nothing from England but the Russell, galley, which brought no letters but an uncertain account of a design against the King's person, and a designed invasion from France. We have heard more from Curaçoa, namely, that all is detected and over, but I fear it because we have no ship from England, though the fleet from thence has been long expected. We want all necessaries, and ships to carry away our produce, so that if this war hold on much longer these Colonies must come to nothing. No people come in, many die, some get away from fear, others because they are in debt, and many are pressed into the King's ships, which also frightens others away, so by many ways we decrease, which disheartens those that have interest and makes them talk of removing. The King's ships are in an ill condition from want of recruits of stores, provisions, necessaries, and also of officers and seamen; so that they are of great expense to the King, and by their wants hindered of being of much use to the country. There is now a French man-of-war on the north side of the Island, reported to be of fifty guns, and I am obliged to send both of ours after her lest she should baffle any one of them, undermanned and unprovided as they are. I have sent a sloop to Hispaniola in hopes of getting provisions, from whence we may learn what ships are there that have lately reached them, and what is their design. We hear nothing about the Assiento, whether it be again disposed of or to whom, nor have I had the good fortune to have a word as to the money due from Porcio to the merchants here, about which I wrote to you some time ago. If there were any countenance about it, it would now be paid, for the Bishop of Panama, who is now President there, has put Porcio in prison because he was endeavouring to get privately away. The Assembly have passed Acts for quartering the soldiers, and for governing of negroes, which I hope may be liked in England as they are of great moment to the safety of the country. I mightily want commands to fill the Council, for want of which business is much obstructed. *Signed*, Wm. Beeston. *Holograph*. 1½ *pp*. *A short abstract is attached*. [*Board of Trade*. Jamaica, 8. *No*. 7; *and* 56. *pp*. 24-26.]

June 19. **49.** Minutes of Council of Barbados. A private bill as to Philip Kirton's land was considered and postponed. A conference was appointed on the bill to encourage importation of Christian servants. Edward Cranfield's commission as Deputy-Auditor recorded. Colonel Salter appointed Treasurer. The Conferrers brought up their report on the bill as to white servants. Orders for certain payments. The Assembly desired to amend the additional bill for supply of the soldiers.

June 20. Message of the Assembly proposing an amendment to the bill as to white servants, to the effect that the Militia Act should not be strictly enforced in the dearth of white servants; to which the

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Governor answered that he could not consent, though he was willing to make all possible allowances. Bill for the subsistence of the officers of Russell's Regiment received. Addresses of the Assembly as to the ship Frank Russell received, also two resolutions as to trial of certain rebellious negroes, as to continuing the lease of Fontabelle, as to granting medals to certain officers and a reward to certain seamen and as to repair of the fortifications. Bill as to white servants read thrice and passed. The grant of medals and rewards agreed to. [*Board of Trade.* Barbados, 65. *pp.* 104-107.]

[June 23.] **50.** Memorandum of the cannon taken in the Expedition to Hispaniola. There were taken at Cap François 33 cannon, of which we had 17 and the Spaniards 16, besides 1,000 shot to each of us. The cannon taken at Port-de-paix were 107 great and small and 3,662 great shot, of which we and the Spaniards each took 53 guns and 1,831 shot; but we also took 8 guns, of which the Spaniards had no share. I was informed by two French gentlemen that in the fort and castle the French abandoned 700 barrels of powder, naval stores to the value of £1,500, three months' provisions for six hundred men, and money, plate, etc., worth £14,000, all of which, with £3,000 worth of indigo at Cap François, was taken by the sea-officers, who searched all boats that came off to the fleet. The Spanish General's letter will show how the sea-officers behaved. *Signed*, Luke Lillingston. *Here follows a list of ordnance landed at Jamaica.* 1½ *pp. Inscribed*, Delivered, 23 June, 1696. [*America and West Indies.* 540. *No.* 50.]

June 23. Virginia. **51.** Clerk of Assembly of Virginia to Lords of Trade and Plantations. Forwarding the Journals of the House of Burgesses during the session begun 23 April, 1696. *Signed*, Peter Beverley. ½ *p. Endorsed*, Recd. 26 Aug., 1696. Read, 28th. [*Board of Trade.* Virginia, 6. *No.* 2; *and* 37. *p.* 3.]

June 23. **52.** Clerk of Assembly of Virginia to the Duke of Shrewsbury. Advising despatch of the Journals of the House of Burgesses from 23 April to 1 May, 1696, and of a duplicate of the same. *Signed*, Peter Beverley. *Two letters. Each* ½ *p. Both endorsed*, R. 26 Aug., 1696. [*America and West Indies.* 638. *Nos.* 31, 32.]

June 25. **53.** Petition of the Clergy to the Governor of Virginia, at a general meeting held at James City. In answer to your speech recommending the settling of the clergy's salaries the Burgesses, instead of remedying so crying an evil, represented the circumstances of the clergy as needing no redress, as if the clergy were contented with their present provisions, and all information to the contrary had proceeded only from those who were avariciously inclined. We beg, with all respect to the House, to be allowed to represent our circumstances and to speak our minds, who best know whether we are satisfied or not. We are obliged to receive our salaries in tobacco at twelve shillings the hundred. We cannot but look upon it as a great grievance when no persons but ourselves are obliged to take tobacco at so high a rate. As you are aware, the King's quit-rents are not sold for so much as half that price. As to our perquisites we have none except for marriages and a few funeral

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sermons, which, upon a computation of the perquisites of the generality of the parishes, do not amount *communibus annis* to five pounds a year. As to our glebes, so ornamentally described by the Burgesses, we aver that in many parishes there are no glebes at all, and that in several parishes that have glebes they are detained from the minister's possession. When they are allowed to the ministers they are so destitute of houses, orchards and other conveniences that they are no way fitting for his commodious reception and accommodation, and are, one with another, not worth above forty or fifty shillings *per annum*. Further—which is as grievous as all the rest—we hold these mean livings so precariously that (not being inducted) we are at all times liable to be turned out at the vestry's pleasure, without any canonical objection alleged or proved against us. We must therefore unanimously own that the circumstances of the clergy in Virginia are most deplorable and that the representation which was made to the King in that sense was a good service to the Church and pursuant to the desires of the clergy at their general meeting in 1690. We beg therefore that since the Burgesses have shewn so much averseness to the relief of the clergy you will make favourable representation of our sad circumstances to the King and intercede with him for our relief as he shall think best. *Signed*, James Blair, Commissary, *and by fifteen others*. *Copy*. 2½ *pp*. [*America and West Indies*. 638. *No*. 33.]

June 25. **54**. Journal of Council of Trade and Plantations. William Popple appointed Secretary. Order for an error in the Commission to be corrected. Agreed that the Council meet every Monday at 4 p.m. and every Wednesday and Friday at 10 a.m. The Secretary was ordered to desire Sir Christopher Wren to hasten the fitting of the rooms designed for it. [*Board of Trade*. Journal, 9. *p*. 7.]

June 25. **55**. Minutes of Council of Jamaica. Order for the justices to see that the oaths appointed in lieu of those of allegiance and supremacy be administered to all persons that have not taken them.

June 26. Order for payment of £20 to Thomas Barrow as a retaining fee to be the King's Counsel in all matters concerning the King's revenue. [*Board of Trade*. Jamaica, 79. *p*. 10.]

June 26. Burlington. [New Jersey.] **56**. Governor Hamilton to Governor Fletcher. I formerly acquainted you that I had set some young men who had been at Albany to invite others. They now inform me that Captain Matthews is so much in their good graces that if he came down he is the likeliest man to prevail. I could have him first find out Matthew Moore of Woodbridge, who was of his company. He knows the temper of the young men and can best assist. They must be soothed with it, for asserting the power of the Commission will make them all run the province. I am really ashamed and grieved that they are so awkward. They still object the exemption or non-compliance of the neighbouring Colonies, nor will this ever be remedied unless the support of the frontiers reaches all North America. As it is, the remoter Colonies are so many asylums. *Signed*, And. Hamilton. *Copy*. 1 *p*. *Endorsed*, Recd. 23 June, 1697. Read 9 April, 1698. [*Board of Trade*. New York, 6. *No*. 45.]

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1696.
June 27. Virginia.

57. Governor Sir Edmund Andros to Lords of Trade and Plantations. On the 12th of May I received yours of the 10th of March, with the joyful news of the discovery of the design against the King, and his Majesty's proclamations since. I immediately summoned the Council, when a day of public thanksgiving was appointed. We have also passed an address to the King and entered into an Association. The day of thanksgiving was solemnised with the greatest expressions of joy that this country is capable of. All the militia were in arms; and all the officers, civil and military, with the principal inhabitants have addressed and entered into an Association to the King. I have received the King's orders to suspend the sending of the quota; before which I had taken measures for sending it, but upon advice that other Colonies were sending not men but money for raising men in New York, I deferred sending them and sent instead £1,000 New York money. This exceeds the £500 given by the Assembly, and the revenue (being in debt) is not sufficient to meet this as well as the established and necessary charges of Government. The London fleet is not arrived; there is little exportation of tobacco; last crop was small, and next crop is not likely to be better. I beg your favour to the King, in such manner as you think fit, for the said debt. The Assembly met in April according to prorogation, but being alarmed with apprehensions of small-pox, presently prayed for a recess and could not be prevailed with to enter on business. I therefore prorogued them till October next. *Signed*, E. Andros. 2 *pp. Endorsed*, Recd. 26th, read 28th August. Answered, 24 Sept., 1696. [*Board of Trade.* Virginia, 6. *No.* 3; *and* 37. *pp.* 3-5.]

June 27. Virginia.

58. Governor Sir Edmund Andros to William Blathwayt. I received yours of 14th March on the 12th of May, at once despatched the good news of the King's preservation to all parts of the Colony and forwarded the packets to the other Colonies. I send the public papers and accounts, and have prayed the favour of the Lords for the debt of the Colony. I particularly hope for favour from yourself, to whom all the accounts are transmitted, for even though the London fleet may soon arrive I see no prospect that the revenue can clear the debt and meet the ordinary charges of Government. I cannot express the joy at the King's preservation, upon which addresses and associations from all parts have been sent for his Majesty's acceptance. Colonel Wormeley, the Secretary, being mostly indisposed, has appointed Colonel Edmond Jenings to officiate in his stead. I have admitted him, and he desires to be recommended to your favour. I also beg you favour to Colonels Johnson and Charles Scarburgh, lately admitted to the Council, the latter upon the death of Colonel John Lear. His successor in the Collector's place in Lower James River is Colonel Daniel Parke. *Signed*, E. Andros. 1½ *pp. Endorsed*, Read 17 Sept., 1696. Answered 24th. [*Board of Trade.* Virginia, 6. *No.* 4; *and* 37. *pp.* 11-12.]

June 27. Virginia.

59. Governor Sir Edmund Andros to the Duke of Shrewsbury. *This letter is, with little difference of language, to the same purport as that of same date to the Council of Trade and Plantations* (No. 57) *with the addition of the appointments to the Council*

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and the Secretaryship reported in the letter to William Blathwayt (see preceding abstract) and of the following paragraph. Mr. Commissary Blair having convened the clergy to James City gave me at their parting an address, of which I forward copy (*see No.* 53), complaining of the House of Burgesses for their disregard of the King's directions on their account. The Council desired and held a conference with the Burgesses on this matter, but could not prevail with them to do more, and I was advised that I could not enforce it otherwise. I have desired Mr. Blair to let me know what glebes are wanting, detained or destitute of houses and conveniences for the ministers' accommodation, and if I can induct ministers without presentation of vestry or patron, that I may not be wanting to do what lies in my power. *Signed*, E. Andros. 2½ *pp. Endorsed*, R. 26 Aug. [*America and West Indies.* 638. *No.* 34.]

June 29. **60.** Journal of Council of Trade and Plantations. Order for enquiry to be made of the Navy Board as to the Naval stores imported from abroad, with the rates and conditions of payment, during the past thirty years. Sir Christopher Wren was ordered to attend next meeting. [*Board of Trade.* Journal, 9. *p.* 8.]

June 29. **61.** Minutes of Council of Barbados. A Committee to correspond with the Agents was proposed, but there being no quorum of the Assembly, the Council adjourned. [*Board of Trade.* Barbados, 65. *p.* 107.]

June 29. **62.** Minutes of Council of Massachusetts. Order for purchase of provisions for three hundred men for five months, on an expedition against the French and Indians, and that £1,500 be advanced by the Treasurer for the purpose. [*Board of Trade.* New England, 49. *pp.* 31-32.]

June 30. **63.** Minutes of Council of Nevis. Copy of a letter from the Governor giving warning of a suspected attack, and ordering all soldiers to be brought to their duty, all officers to sign the Association, and that care be taken to quarter the soldiers well. Several petitions were considered. [*Board of Trade.* Leeward Islands, 64. *pp.* 350-352.]

July 1. **64.** Journal of Council of Trade and Plantations. Mr. Churchill appointed stationer to the Council. Order for a warrant for delivery of the records of the office to the Secretary. The report required of the Navy Board was altered so as to extend their enquiry back to the year 1660. Sir Christopher Wren, attending, was ordered to draw up an estimate of the cost of preparing the rooms for the Council. [*Board of Trade.* Journal, 9. *pp.* 8-9.]

July 1. **65.** Minutes of Council of Barbados. The question of a Committee to correspond with the Agents considered, and four members sent down to the Assembly, to be joined by four members of the House as a standing committee. The Assembly desired to know the wants of the forts and magazine, which the Governor promised to answer to-morrow. Order for payment of £20 to Charles Barrett for the expenses of his ship, which had destroyed a

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French privateer. The amended bill for supply of the soldiers was brought up, and passed. A paper as to Commissioners for repair of the forts was also brought up.

July 2. The Governor produced an account of the wants of the magazine The Assembly desired an account of the stores therein, whereon the Governor asked the Council's advice, and, opinions being divided, told the Assembly that the Council were not yet ready with their advice on the question. [*Board of Trade.* Barbados, 65. *pp.* 107-111.]

July 1. **66.** Minutes of Council and Assembly of Antigua. Message from the Governor pressing for the completion of the fortifications at Monkshill and proposing an Act to compel the inhabitants, on an alarm, to send their horses into the forts. The Assembly agreed to make arrangements as to Monkshill, but thought the proposed Act needless. Mr. Edward Walrond swore to his deposition against Mr. John Palmer. The Governor promised to enquire into a complaint of the Assembly against Captain Julius (to whom they had refused a reward for captured Indians) of unseemly language.

July 2. Act for carrying on Monkshill fortifications signed. The Governor desired the Assembly to sign the Association for defence of the King, and to prepare an Act for bringing in horses on alarms, both of which things they did, and the Act was accordingly passed. The Assembly preferring a charge against John Palmer of using reproachful language against Queen Mary and of contemptuous behaviour in refusing to give security, the Governor answered that he would summon Palmer to answer for the same. [*Board of Trade.* Leeward Islands, 64. *pp.* 175-177.]

July 1. **67.** Journal of House of Burgesses of Maryland. The House attended the Governor, who informed them that since last prorogation he had received several packets. He then informed them of the discovery of a conspiracy to assassinate the King, and of the association signed by Parliament to defend his person, and said that doubtless so good an example would be followed in Maryland. He then gave them several letters and printed papers relating to the news and trade of England; and the Burgesses returned to their house.

July 2. Resolution for issue of writs for election of burgesses to fill seven vacant places. Committees of accounts and laws appointed. Upon proposal from the Governor it was resolved that the Committee of Laws draw a new Act of Religion. Resolved to present an address of congratulation to the King. Message to the Governor asking him to deal with the matter of one white servant woman and two Indians now in custody for murder. The proposals were received from the Council, and resolutions passed on them as follows:— (1) That all the Indian lands be adjusted and the bounds ascertained. Referred for consideration and legislation at next Sessions. (2) That all masters of ships give account on oath of the letters that they bring and of what goods are consigned to any person. Assented to. (3) What shall be done as to the ships left in the country? Recommended that they be permitted to sail, as they are got ready. (4) Shall the export of corn be still prohibited? It is desired that the prohibition be continued. (5) What shall be

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done as to the prisoners in custody for murder? The House desires that they be tried by a Special Commission. (6) That Colonel Beal be permitted to go home and take all necessary care about the Indians. Assented to. (7) That an allowance be made to him for two Indians brought to Annapolis. Ordered accordingly. (8) That all persons of general employ in the province shall reside in town. The House thinks that such restriction will hinder capable men from accepting employment. (9) That, in view of the danger from foreign Indians, two men be added to the party of rangers. Agreed to. (10) That an order be passed for certain strange Indians now among the Piscattaways to come down to the fort. Agreed that Colonel Beal carry the order. (11) That the school law be altered, that the King be made supreme patron of the school and the Bishop of London Chancellor, that the King be asked to appoint Trustees and Guardians to act with those appointed by the province, and that the school be called King William's School.

July 3. Bill for Religion read a first time. Moved that the King be addressed as to the subject of navigation bonds. Message to the Council, deprecating any alteration to the Act for free schools, which is so long and has been so widely published. Order for William Bladen to be paid from the tobacco levied in Anne Arundel County. Journal of the Committee of Accounts approved. The House resolved itself into a grand committee to confer with the Governor and Council. After conference, the following proposals and information were made to the Indians; that the Pamunkeys, Chopticoes and Mattawomans must live with the Emperor of Piscattaway while the war lasts; that all who refuse to do so after the harvest shall be reckoned enemies; that they must hold no correspondence with strange Indians without giving notice to the Government and receiving its consent; that rather than give up the garrison on the Potomac the Governor will reside there himself with five hundred men; that the Indians must not wander outside the bounds of the garrison without leave of the commander, lest in this time of war they be mistaken for enemies; that though they shall live under the Emperor of Piscattaway while the war lasts, they shall retain their royalties and return to their own homes as soon as the war is over; that they live amicably and in obedience to the Emperor; that the Indians on the branches of the Potomac had been sent to, and if they refuse to come and live under the Emperor or leave the province, the Governor will go up himself and rout them; that they shall not entertain the Anacostan King, but deliver him to the English, who will give a reward for him; that they may sell their lands to the English if they will, but that they had better do so before a magistrate, so that they be not cheated. To all of this the Emperor agreed. The Governor then told them that in a few days an Indian would be tried for his life, and asked what they had to say for him. They said that they would say nothing for him, but pleaded for a younger Indian who was likewise accused of murder. The Governor then said that the young Indian should be liberated if they would pledge themselves to his good behaviour; which they did, and the Indian was then delivered to them. The Indians were then dismissed, with the exception of those required as witnesses in the coming trial.

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July 4. Bill for Religion read a second time and sent up to Council. Resolved to send an address of thanks to the Privy Council for their care of the province. The Governor recommended to the House to consider the letter of the Governor of New York, saying that if they would send him any more money he would advance the same; he also acquainted the House that if they thought fit to pass the Act of Religion as proposed he would bear the expense of the same. Bill to settle the fees of the Clerk of Council read a first time. Supplementing Bill to the Act to impose a duty on officers read twice and sent to Couucil. In the matter of New York the House thanked the Governor for his generous offer, but seeing how incapable they were at present of repaying him and that they had already paid to New York more than £130 above the contribution required by the King, they felt under no obligation to contribute more. [*America and West Indies.* 557. *No.* 15.]

July 1. **68.** Minutes of Council of Maryland in Assembly. The Burgesses attended, when the Governor made them a speech (*see preceding abstract*) recommending in particular an address of thanks to the King for relieving them of the quota, and acquainting them that he had sent home the grievances formulated last session.

July 2. Sundry proposals were sent down to the Burgesses and returned with answers; and the answers to the first nine of these were agreed to by the Council (*see preceding abstract*). Message from the Burgesses as to the Indians in custody for murder. Order for the lawyers to report if Indians can be tried by English laws.

July 3. The Burgesses and Council met in conference to meet the Indians, when the Governor made several proposals to them (*see preceding abstract*). Order for a special Court for trial of the Indians accused of murder (*pp.* 89-95). The Bill for Religion was received and read. Congratulatory address to the King approved and signed. The Chancellor's petition as to his fees referred to the Burgesses (*p.* 96).

July 4. Proposed to the Burgesses that an ordinance pass to compel the justices of the County Courts to sit for twelve hours in Court in summer and for eight hours in winter, and that the clerks record their compliance therewith. [*Board of Trade. Maryland,* 14. *pp. as cited*].

July 2. **69.** Minutes of the Council of Massachusetts. Nathaniel Thomas sworn of the Council. Order for the 23rd of July to be kept as a day of fasting and prayer. [*Board of Trade.* New England, 49. *pp.* 32-33.]

July 2. **70.** Minutes of Council of Maryland. Order for the Justices of Somerset County Court to answer for their rejection of an allowance to a Militia Colonel for transport of arms and ammunition. Petitions received from two vestries read and orders given thereupon. Orders for building two chapels of ease in Dorchester County. Colonel John Addison was directed to go up the river to inspect the garrison and take any necessary precautions against the Indians.

July 3. John Salter attended in the business of the leasing of Talbot County Court, and the Attorney-General was ordered to prosecute him for breach of his agreement. A deposition was given in, complaining that the rangers do not live beyond the settlements on the

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frontiers, as ordered, and that both parties of them had once been in at the same time. Captain John Oldston, one of the commanders, was admonished to amend this and to obey his instructions strictly, and, if his officers would not comply therewith, to obtain other officers in their place.

July 4. Commission to the Emperor of Piscattaway to be Governor of all Indians within any part of the province on the Western Shore, read and approved. [*Board of Trade.* Maryland, 13. *pp.* 123-128.]

July 3. **71.** Journal of Council of Trade and Plantations. Order for an Order in Council to be prepared, in lieu of a warrant, for taking over the records of the Plantation Office. It was made a rule of the office that all officers employed therein shall attend constantly and diligently in person. Further inquiry and inspection was made as to the rooms designed for the office. Doorkeepers and messengers were appointed, and Jacob Tonson was appointed joint stationer with William Churchill. The Chancellor promised advance-money for incident charges. Mr. Charles Pilsworth's paper as to the plantations was received (*see Enclosure No.* 1, Aug. 20 *post*) and consideration thereof postponed. [*Board of Trade.* Journal, 9. *pp.* 9-11.]

July 4. Jamaica. **72.** Governor Sir William Beeston to Lords of Trade and Plantations. I had made up my letters and given my despatches to the Russell, galley, when at two on the morning of the 30th of June the master of the express-boat brought me your letters of 10 May and 28 April. I venture to think that the former is misdated, as the ship left England on the 7th of May, and the matter of the latter seems to have been before that of 25 April. I had already received some information of the defeat of the plot against the King. A day of thanksgiving was solemnly kept for it, with bonfires, firing of cannon and all other expressions of joy that we could make. As soon as Captain Moses came in well banged from the coast of Hispaniola I sent a sloop thither, which returned on the 30th of June with a French prisoner, who relates that ships of war, some of them of eighty guns, were newly arrived from France, that they stayed at Petit Guavos but eight days and then went away fourteen sail (but he knows not whither, nor who is the commander), that they took none of the Island people with them and that it is a month since they sailed. Whether this be Mons. Renaut or not I cannot learn, but I am of opinion that, whoever they are, they are gone to bomb Carthagena, in hopes either to take the town by sudden surprise or to frighten the people out of a sum of money to save it. I fear it may be no hard attempt to take it, touching suddenly on a people not used to war, who never saw a bomb, and who are mostly made up of churchmen and a few worn-out old soldiers. The galleons also are now in the harbour, so that if they get the town they will get them also. When they return (unless they take and keep Carthagena) I expect them here, but have no apprehension of them in respect of the Island, though I fear they may bomb and destroy Port Royal, to avoid which I have given all the necessary orders that I can, and intend to lay the men-of-war so as, if possible, to prevent their

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bomb-ketches coming within reach of the town. I have also ordered Colonel Knight to take the powder out of the magazine and distribute it in four or five parts of the town, so that it may not all be blown up at once, nor the fort be destroyed, nor the men be disheartened to stay there and defend it, for should the powder remain there and be fired it would destroy the fort and all in it. I have also given all necessary orders to the Colonels of Militia and to Major Montjoy, who commands what remains of Lillingston's Regiment, and I hope the French will not be able to prevail upon us in these parts of the Island, where what strength we have is near together; but if for mischief's sake they fall on the outparts, I cannot defend them on account of the long and difficult marches and the hazard of withdrawing forces from our place of strength and our stores of provisions and munitions. I beg, therefore, that the King may know that nothing on my part shall be wanting for the preservation of the place, according to the numbers of men that we have, which are much beneath what this great Island deserves for its defence. I am in hopes of giving a good account of the place if they should attempt us, but these continued assaults are a vast charge, and, without assistance, will weary the people and make them think of removing. I hear from England that some malicious persons have made very unjust complaints of me, without cause or truth. I have desired Mr. Heathcote on my behalf to lay my cause before you, and I beg your justice, to which I willingly refer myself, it being too uneasy and unhappy to serve the King at so great a distance, and that everyone who pleases should take the liberty to write what untruths they think fit with impunity. Mr. Brodrick can give you an account of everything. *Signed*, Wm. Beeston. *Postscript*, 5 July. We have advice that four large French ships were seen on about the 20 May going to Westward, below this Island, which may give reason to believe that they are gone to intercept the New Spain fleet or fall on Havana. They seem to be many and strong, and go to the rendezvous, wherever it be, two or three together. If they take that town, all the Spanish navigation and ours from the Island will be intercepted, and if they do fall on us with this great force, it will go hard with us unless we have assistance. I have this day prorogued the Assembly till September, proclaimed martial law and embargoed the port. 3 *pp. A short abstract is attached. Endorsed*, Read, 5 Nov. 1696. Answd. 23 Nov. 1696. [*Board of Trade.* Jamaica, 8. *No.* 8; *and* 56. *pp.* 26-29.]

July 5. Jamaica. **73.** Governor Sir William Beeston to William Blathwayt. My letters were ready when the commander of the galley fell ill until the 30th of June, when two letters arrived from the Lords of Trade. We held a public thanksgiving for the deliverance of the King from the plot against him, and an address from the Council and Assembly to the King has been sent to England. As soon as I received the warning in the second letter from England as to French designs against us, I issued orders to all the Colonels. (*Here are repeated the account of the measures taken for defence, the reports as to the French fleet, and his belief in its destination being Carthagena, almost in the same words as in the preceding abstract.*) I have

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your letters of the 20th, 21st, and 28th of April. That from Mr. Clarke I have given to Montjoy, and they are signing the Association, as have the Council and Assembly, with great cheerfulness. I intend to send it to the several parishes, and doubt not of a hearty concurrence. Some few rotten members we have here, but not enough to do any harm. I have sent the accounts of all that I have received and paid about the subsistence to the Lords of the Treasury. I have credit enough for above a year more, besides the money that is in the Commissary's hands by the sale of sundry things. In all these matters I shall not fail to discharge my duty. If the King be satisfied with my services I shall think myself happy, whether he continue me here or command me home. I have just had news of the French fleet on the 20th of May. (*Here the postscript given in the preceding abstract is repeated.*) I have prorogued the Assembly to September next. By persuasion and patience I have at last obtained of them to appropriate the additional duties on imported wines and exported negroes to the revenue, but could not prevail for an equivalent bill for the revenue to that made in the Duke of Albemarle's time. They still think that because it is perpetual and they desire it may only be temporary, the King will not assent to it, but when once that is done they will add to the revenue to get it repealed again. The Acts and other papers shall be sent by the next opportunity. I have proclaimed martial law and embargoed the port, but there is no occasion for me to detain the express to England. *Signed*, Wm. Beeston. 2 *pp.* *Endorsed*, Read 5 Nov. 1696. Answd. 23 Nov. 1696. *A short abstract is attached.* [*Board of Trade.* Jamaica, 8. *No.* 9; *and* 56. *pp.* 30-38.]

July 6. Maryland. **74.** Council and Burgesses of Maryland to Lords of Trade and Plantations. All the papers sent to the Governor as to the wicked and traitorous conspiracy against the King have been laid before us, and we have made our solemn public thanksgiving for his deliverance. We thank you for the speedy and effectual preparation made for our defence and security against foreign enemies, and for your true relation of the King's deliverance to prevent mistakes and errors, which are too commonly brought to us at this distance. Though the general embargo laid on ships was a very great impediment to the trade of this province, yet we very cheerfully submit to it, since the ships and mariners might so immediately conduce to the King's service. We beg you to lay our humble addresses, herein enclosed, before the King. *Signed*, on behalf of the Council, Hen. Jowles, Chancellor; on behalf of the House of Burgesses, Kenelm Cheseldyn, Speaker. 1 *p.* *Endorsed.* Recd. 21 June, 1697. Read 7 July, 1697. [*Board of Trade.* Maryland, 3. *No.* 5; *and* 9. *pp.* 48-49.]

[July 6.] **75.** Enclosures sent with the foregoing letter.

75. 1. Address of the House of Burgesses of Maryland to the King. Thanking him for exempting the Province from providing a quota of men for defence of New York, in consideration of her contribution in money; representing that the sums so given were all that the Province could possibly afford; and begging to be exempted from further payment towards the support of New York, the

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frontiers of Maryland being threatened by increasing danger. *Signed*, Kenelm Cheseldyn, Speaker, *and by forty-four more. Large page. Endorsed.* Recd. from Mr. Povey, 10 Aug. 1697. Read 18th. [This address is entered in *Board of Trade.* Maryland, 9. *p.* 71.]

75. II. Address of the Council and Burgesses of Maryland to the King. We are certainly informed that when you sent Governor Copley to Maryland you instructed him to apply one-fourth of the shilling per hogshead duty to the supplying the province with arms and munitions of war; but he, not making us aware of this, applied the whole of it to his particular use. As he has left landed estate in Maryland we beg that this estate may answer to you for the fourth part aforesaid and that the money may be applied to our defence according to your instructions. *Forty-eight signatures.* Large sheet. *Endorsed*, Recd. 29 Aug. 1696. Read 31st. [*Board of Trade.* Maryland, 3. *Nos.* 5 I., II.]

July 6. **76.** Journal of Council of Trade and Plantations. A necessary woman for the office was appointed. Order for the Chancellor of the Exchequer to be reminded as to the advance-money required. On Mr. Pilsworth's paper, it was ordered that a representation be made to the Lords Justices of the importance of the subject and of the inability of the Council, just at present, to deal fully with it.

July 7. The representation aforesaid was signed. Further consideration of the rooms of the office. [*Board of Trade.* Journal, 9. *pp.* 11-12.]

July 6. **77.** Minutes of Council of Maryland. Captain Oldston attended and denied the truth of the allegations against his rangers.

July 7. Captain Oldston handed in a paper saying that Thomas Roberts, his Lieutenant, was unfit for his place, and asking for Tobias Scarburgh to be appointed in his place. Order for the paper to be sent to Roberts for his reply. Order for arms and ammunition to be delivered to Colonel Ninian Beal. Order for a return of all persons married without licence since the Governor's arrival, also for the Colonels of the frontier-counties to keep their militia always in readiness for service.

July 9. Order for the quarter-part of the shilling per hogshead duty collected this year to be applied to the repair and fixing of arms. Order for the accounts of shipping to be prepared, for transmission to England. Order for all the Colonels to see to the repair of their arms and to the exchanging of their old powder for new, and that the Collectors tell the Captains of the King's ships that it will be a kindness to the province if they will make such exchange. Reprieve granted to Ann Smith, under sentence for murder. A petition of Thomas Tench, that certain rigging on board his ship now under seizure may be restored to him, was considered and granted conditionally.

July 10. On the information of Matthew Scarburgh as to an illegally trading vessel from Philadelphia, Colonel David Brown, the Naval officer and the Collector were ordered to enquire into the matter, and to appoint an officer to be in charge of the inlet where she was

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seen, if they think expedient. List of the Justices of the newly divided Counties; and order for their commissions to be issued. On the petition of Henry Denton orders were given for the payment to him of an annual allowance of 6,000 lbs. of tobacco as Clerk of Council. [*Board of Trade.* Maryland, 13. *pp.* 126-137.]

[July 10.] **78.** Duplicate copy of Minutes of Council of Maryland, 1st to 10th of July. 13 *pp.* [*America and West Indies.* 557. *No.* 14.]

July 6. **79.** Journal of House of Burgesses of Maryland. Bill for Religion sent up to the Council. Bills for free schools and for revival of temporary Acts read three times and sent up to Council. Bills for keeping the Sabbath, for the Clerk of Council's fees, and to supplement the Act for a duty on offices, received from the Council. Resolvéd to address the King to thank him for the disengaging the province from contributing to the assistance of New York. In reply to a question of the Governor whether Papists should be secured, the House answered that like himself they apprehended no damage from them. Several of the new members contributed subscriptions to the free school. Mr. Anthony Workman gave £150 to the building of a house on a lot which the Governor had already given, and £10 towards building the said house, to be enjoyed by him for his life, and afterwards to pass to the school. He promised also to keep all the improvements on the said lot in good repair.

July 7. The Bill for Religion debated. Message to the Governor, acquainting him that they could not agree with the alteration which he desired therein, and desiring that the bill might be deferred to another Assembly. On the petition of the inhabitants of Dorchester, it was resolved to repeal the Act against striking fish in that County. Agreed to a proposal of the Governor that a place be made in the State-house for the King's picture.

July 8. The Bill for Religion debated. Message to the Governor asking for a reply to the message of yesterday and assuring him that all that has been done therein has been in honesty of heart and for the service of God, the King and the Country. Committee appointed to inspect the laws of the province. Message from the Governor, that, since the Burgesses require more time to consider the Bill for Religion, he begs that they will despatch the other business before them. Several members, justices of the provincial Court, appointed to apportion the public levy. The Treasurer for the Eastern Shore reported that he had 12,200 lbs. of tobacco in hand from the duty on public offices. Bill to repeal the Act against striking fish in Dorchester County read thrice. 2,000 lbs. of tobacco granted to William Bladen for his services to the beginning of this session. Bill for assessing the public charge of the province read three times. The Speaker and the House attended the Governor, when the following bills were assented to. Supplementary bill to the Act for raising a supply, bill against profane swearing, bill to revive temporary laws, bill to repeal the Act as to fish in Dorchester County, bill for assessing the public charge. The Governor than said that he was sorry they would not agree to pass the Act for Religion, but that he understood that the King would not assent to an Act containing two things of different nature as this did, namely,

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spiritual and temporal things. If the bill were passed as it stood, they would have to carry their causes to Westminster Hall. He hoped that none would doubt the King's justice, who was still fighting for their cause. For himself, he desired the Burgesses to speak freely if he had infringed any of their privileges, and advised them, if they thought that further confirmation thereof was needed, to address the King for a declaratory Act, which he would use his interest to procure. He admitted that they had made many good laws, but if the Act for Religion were unfinished, their work was imperfect. He then prorogued them till to-morrow.

July 9. The House waited on the Governor, who made them a speech to the same effect as yesterday's on the Bill for Religion, telling them that the inclusion of the words "fundamental laws of the Kingdom of England" would make them carry all their causes to Westminster Hall. He added that he would be willing to further an Act declaring their rights and privileges. The Burgesses then returned, and appointed a Committee to draw up reasons for and against passing the bill. The following message was then sent up to the Governor. We have again considered the Bill for Religion, and while earnestly desirous of forwarding the same from our duty to God and the King, we cannot be altogether unmindful of our rights and liberties. We deprecate all misunderstanding between ourselves and the Governor, and to find a middle way have substituted the words "laws and statutes of England" for "fundamental laws of England." We have no fear of infringement of our liberties by the King or the Governor, acknowledging the fairness and freedom of his administration. We believe ourselves entitled to all the privileges of free-born British subjects; we believe that the King has exposed his royal person to danger for preservation of those privileges; and we doubt not that the King will willingly confirm them. We rest the inclusion of the present clause in the Act for Religion on the following grounds:—(1) The privileges of Church and subject are granted together in King Henry's Great Charter, and also (2) in Lord Baltimore's Charter for the seating of Maryland, and also (3) in the first Act passed here after King William took the Government into his hands. *Message ends.* Resolved to add to the said bill the words "in all matters and causes where the laws of the province are silent." Message to the Governor. Your last messenger brought us a caution to explain the words "laws and statutes of England," and we have added words for the purpose.

July 10. Message from the Governor recommending the addition of the words "in this His Majesty's province of Maryland." Resolved that letters be written to the Archbishop of Canterbury, the Bishop of London, Mr. Blathwayt and Mr. Povey. The Bill for Religion was sent up to Council, and, the House attending, the Governor gave his assent thereto. The Governor then prorogued the Assembly to the 16th of September, the fleet being not yet arrived. [*America and West Indies.* 557. *No.* 15.]

July 6. **80.** Minutes of Council of Maryland in Assembly. Proposed by the Governor to the Burgesses to send further assistance to New York, he being ready to advance the money. Message from

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the Governor to the Burgesses' reply as to the securing and disarming of Papists (*see preceding abstract*).

July 7. Message from the Burgesses as to the Act of Religion (*see preceding abstract*). A message prepared in reply.

July 8. Message from the Burgesses that they think the proposed order, as to the hours of sitting in County Courts, unnecessary (*p.* 95). Answer of the Burgesses respecting assistance to New York (*p.* 97). The Bill for Religion amended and returned to the Burgesses. Exchange of messages as to the said bill (*see preceding abstract*).

July 9. Further messages exchanged as to the Bill for Religion (*see preceding abstract*). The Governor required a certificate from the lawyers in the Lower House, that there was nothing in the bill under which any person, in a case of *meum* and *tuum* could remove his cause to Westminster; which was given.

July 10. The Act for Religion was assented to and the Assembly prorogued. [*Board of Trade.* Maryland, 14. *pp.* 96-107.]

[July 10.] **81.** Authenticated copy of the laws passed by the Assembly of Maryland from 1 to 10 July. 19 *pp.* [*America and West Indies.* 557. *No.* 16.]

July 7. **82.** Council of Trade and Plantations to the Lords Justices of England. A paper relating to the present state of the Northern Colonies in America was laid before us by the Duke of Shrewsbury at our last meeting, which we judge to be of such importance that, in the unsettled state of our office we lay it before you direct. (*The paper in question will be found under date* 20 *August No.* II. *infra.* [*Board of Trade.* Plantations General, 34. *p.* 11.]

July 8. Whitehall. **83.** James Vernon to the Council of Trade and Plantations. Enclosing the memorial of William Bridges on behalf of Governor Russell, for their report (*see No.* 47). *Signed*, Ja. Vernon. ¼ *p. Endorsed*, Read 10 July. [*Board of Trade.* Barbados, 7. *No.* 4; *and* 44A. *p.* 1.]

July 9. **84.** Minutes of Council of Massachusetts. On the news of the capture of H.M.S. Newport, ordered that an embargo be laid on all outward bound ships till further order. Advised that a shallop be sent express to Pemaquid Fort to give intelligence of the capture of H.M.S. Newport and of the French ships of war being gone to St. John's River. Ordered accordingly, and that forty men be despatched to reinforce York, Kittery and Wells. [*Board of Trade.* New England, 49. *pp.* 33-34.]

July 10. **85.** Journal of Council of Trade and Plantations. The representation to the Lords Justices was delivered, and progress in the matter of the rooms for the office reported. Resolved that Mr. Bridges's memorial, as to Governor Russell's request to be allowed to accept a present from the Barbados Assembly, be the business first considered after the delivery of the records. Order for enquiry to be made as to linen and paper manufactures in the Kingdom, and as to imports from Sweden and Denmark. [*Board of Trade.* Journal, 9. *pp.* 13-14.]

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July 11. **86.** Minutes of Council of Nevis. The newly elected Assembly was sworn, and James Bevon approved as Speaker. The Association was signed by the Council and Assembly. The work of a joint Committee in drawing up articles of war was suspended for the present by the Council. [*Board of Trade.* Leeward Islands, 64. *pp.* 352-353.]

July 11. **87.** Minutes of Assembly of Nevis. The Assembly being sworn chose James Bevon for their Speaker. The Council refusing to swear certain members as not duly elected, the House passed resolutions that they, whose privilege it was to try such matters, decided that they were duly elected. The Council rejoined that one member, Walter Hamilton, was not qualified to sit in the Assembly. The Assembly retorted that he and two other members, also objected to, were qualified and ought to be sworn. The Council refused to give any further reply; but proposed a joint Committee to draw up articles of war. The Assembly declined to enter on such business till the three members were sworn. [*Board of Trade.* Leeward Islands, 64. *pp.* 373-376.]

July 13. New York. **88.** Governor Fletcher to William Blathwayt. I have sent you two large packets by the ships of war that were to sail from Virginia at the beginning of this month, enclosing the Association signed by all the inhabitants of New York. Those from the Counties are not yet finished. There is likewise an address of congratulation from the Council, who were very hearty to join with me in appointing a day of thanksgiving. Duplicates have been sent of several documents that were lost. By the supply given by the Assembly I am able to recruit the companies for one year, which if continued from year to year will save the sending of recruits from England. I have only the three companies to depend on, not having procured a man from the neighbouring Colonies, though 500 men is in my opinion the smallest number requisite to secure the frontier. The vessel sent from Plymouth with the Royal orders is taken on this coast and the packet sunk, which is a great trouble to me. By chance letters from private friends I understand Mr. Livingston has exhibited an information against me. I know no particulars, but I hope that he will not be credited till I be heard. I have the Council and all the honest men in the Government ready to vouch for my behaviour since I came among them. I never meddled with a farthing of public money nor disposed of it without advice of Council. His brother-in-law, Colonel Van Cortlandt, is ready to testify that I owed him not a farthing when he left the place. I have several times advanced him money for victualling the companies before it was due, particularly at parting. Some public money that was raised by an additional duty for payment of debts contracted before my arrival were made use of by advice of the Council to answer some emergencies, as the expense of an expedition to the frontiers in February, 1694, when the French had invaded our Indian Country and burned their castles, etc. The Assembly now in these last sessions have taken care to refund the money by continuing the same duty. It is to be seen under his hand that if every Governor had paid him as well as I, it had been £1,000 in his way. I hope that Mr. Brooke and Mr. Nicolls are come to

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England. They can vindicate me against anything objected against me in this province. *Signed*, Ben. Fletcher. 2½ *pp. Endorsed*, Recd. and read 30 Nov., 1696. Answered 1 Feb., 1696–7. [*Board of Trade.* New York, 6. *No.* 46; *and* 52. *pp.* 40-41.]

July 13. **89.** Journal of Council of Trade and Plantations. Mr. Bridges attended upon the matter of Governor Russell's present, and gave an account of the origin of such presents.

Petition of William Bowtell and Thomas Wenbron read, on the privilege whereby John Lear, of the Council of Jamaica, evaded his debts. Mr. Edmund Chilton was ordered to attend next meeting on the subject. [*Board of Trade.* Journal, 9. *pp.* 14-16.]

July 13. **90.** Minutes of Council of Massachusetts. This day were read letters from the Lords Justices of England for the confirmation or disallowance of the Acts of 1692, and from the Privy Council stating the reasons of such repeal. The Lieutenant-Governor reported that he had ordered forty men to reinforce the garrison at Pemaquid. Order for the members of Council in Middlesex and at Salem to attend next Council to be informed of the orders received from England. [*Board of Trade.* New England, 49. *p.* 34.]

July 14. Annopolis, Maryland. **91.** Governor Nicholson to Lords of Trade and Plantations. My last was of the 12th of June. The Assembly broke up on the 10th inst., having addressed you on the 6th. I hope the address to the King and an Association being included in it will be approved by you, and that you will lay them before the King. I have ordered in Council that it shall be signed by the Provincial Court and grand jury of the province, by the justices, sheriffs and grand jury of every county, and by the militia officers. We are all very quiet at present, though we have had rumours of foreign Indians. Though we have a pretty many papists, yet the Assembly conclude it to be for the King's service neither to secure nor to disarm them, so long as they live peaceably and submit to the present government. But if they should be so wicked and foolish as to do other ways I shall take care to secure them and proceed against them according to law. The two last years have been very fatal to people's stocks and the harvest very ordinary, insomuch that several people are in great want, but at present, thank God, there is some prospect of a good harvest. The crops of tobacco have been but indifferent, and the fleet's not coming has been a very great disappointment, but the King's consideration in giving the reason for the embargo has given great satisfaction, as also your order for the speedy despatch of the fleet. *Signed*, Fr. Nicholson. 1 *p. Endorsed*, Recd. 21 June, 1697; Read 7 July, 1697. *A short précis is attached.* [*Board of Trade.* Maryland, 3. *No.* 6; *and* 9. *pp.* 50-51.]

[July 14.] Philadelphia. **92.** Minute of Governor William Markham (?) as to certain transactions with the Indians. 25 *June*, 1696. Last night Captain Cock gave information that last night an Indian came from Quanestagua (where our Indians live that removed from Schuylkill), and told him that an Indian and his wife were surprised by twenty strange Indians while working in their cornfield. The man was

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carried off and the woman scalped and sent back to inform her natives that they were Lavetawas (?) and would take all their men and scalp all their women. After the man was taken he called to his wife and said that he was a dead man, that he had a band of wampum which he had kept a long time, and bade her take it to the Pennsylvanian Indians and warn them to be on their guard. About three days before this Indian came, seven Indians from the Mohawk Country came in from hunting. They asked the other Indians if any of them had been out, who answered them, None. They said again that as they came down Susquehanna, about a day's journey off, they saw on shore a birchen canoe cut in pieces, and on going ashore found several bear-skins torn to pieces by wolves, and bear-grease spilled up and down, which made them conclude some had been killed. They searched about in the woods, but found none, though they observed several late footings that went several ways. About twelve miles lower down they again went ashore to boil the pot, when a little boy spied a strange Indian in the wood and ran to tell them what he had seen. They at once got into their canoe and paddled into the middle of the river, when they heard and saw several on both sides of the river. They did not go ashore again till they reached Quanestagua. The Kings then sent out Indians to give warning and enquire what Indians were missing, and finding three missing that belonged to the Schuylkill and went hunting, they concluded that they were killed. The Kings by their messengers desire that the Indians and Christians will open their eyes in time.

This narrative being given me by Captain Cock I sent for the most eminent men near at hand to advise with them. Having read it to them, I asked them to send for any in town whom they thought fit to advise with them, and sent for the Indian. On the next day, 26 June, the Indian appeared and confirmed Captain Cock's narrative, when it was resolved to send a messenger to Quanestagua, and Captain Cock was accordingly despatched.

On the 14th of July he returned the following account in writing. This day week we arrived at Quanestagua and were made very welcome by the Indians, who said that they were glad that the Governor took so early notice of their message. I told them that the Governor had sent me and gave them the belt of wampum which he had given to me as a present for them. Fifteen of the Schuylkill Indians were with me. One of them, on behalf of the chief King, who stayed at home, stood up and said: We thank you for sending us warning of our danger, and are come to assist you. 'We are still cousins, though we live further apart than we used. We are all brothers, and our Governor is William Penn's cousin and our head. Another Indian then spoke in the like manner on behalf of another king of the Schuylkill Indians. As we had done speaking the Susquehanna Indians rose up all together, and in a great shout cried "Very good, very good." They then sat in council for a little while, after which one rose up and said: "In the fall of the leaf we think some of us to come and see the Governor." They then stroked us and said, "We are very glad, very glad, very glad. We see now that what Thomas Lloyd said is true, that the Christians are the same in friendship now as then." The facts as

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to the scalping of the woman and carrying off of the man are true, but he planted alone, forty miles from any other Indian. 4 *pp.* [*America and West Indies.* 599. *No.* 26.]

July 15. **93.** Journal of Council of Trade and Plantations. Mr. Edward Randolph, attending, declared himself unable to give any information as to the privilege of Councillors in Virginia. Mr. Chilton confirmed the information as to the immunity of Councillors in Virginia from all action or process at law. Ordered that Mr. Bowtell shall, if he can, bring Colonel Hartwell to give further information on the subject. [*Board of Trade.* Journal, 9. *pp.* 16-18.]

July 15. **94.** Minutes of Council of Massachusetts. The Orders in Council as to the confirmation and disallowance of the laws passed in 1692 were read. Order for notification of the repeal of the disallowed Acts to be made to the justices. Order for two good sailing shallops to be hired and fitted as scouts to cruise for six weeks and give warning of any French ships of war on the coast. Order for a Committee to take account of bills in the Treasurer's hands, as ordered on the 30th of April last. Orders for payment of £300 to the Lieutenant Governor, and of £250 to the Treasurer, for their salaries for last year, and of £204 to John Walley, he having over-charged himself with that sum by miscast of his accounts. [*Board of Trade.* New England, 49. *pp.* 35-38.]

July 16. **95.** Minutes of Council and Assembly of Antigua. At the Governor's request, quarters were appointed for some recruits of Holt's regiment. The Assembly sent two messages desiring that a copy of the Act for the Marshal and Secretary to give security may be furnished to their clerk, to be sent home. A reward granted by the Assembly for a capture of Indians was approved. The Governor desiring the Assembly to furnish its quota of sugar for the Agents, the Assembly answered that they would postpone it until the meeting of the General Assembly.

July 17. The Governor agreed to a proposal of the Assembly as to care of the wounded and disposal of French prisoners. Orders for payments. [*Board of Trade.* Leeward Islands, 64. *pp.* 177-179.]

July 20. **96.** Affidavit of Richard Thompson. That the copies of Mr. Burchett's letter of 18 January, 1695, and of its enclosure are correct, and that he was appointed store-keeper and muster-master in Jamaica by Commodore Wilmot. ½ *p.* [*Board of Trade.* Jamaica, 8. *No.* 10.]

July 20. **97.** Minutes of Council of Jamaica. The Governor represented to the Council the present state of the Island and required their advice thereon. The Council adjourned to consider.

July 21. The Council gave their advice as follows. Yesterday your honour laid before us the following statement. By the muster rolls of August, 1695, there were men in the Island as follows:—

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Regiment of St. Catherine's	523.	There are now	350
,, ,, Port Royal	530.	,, ,,	200
,, ,, St. Andrews and Kingston	385.	,, ,,	200
,, ,, Clarendon and Vere	375.	,, ,,	200
,, ,, St. Elizabeth's	248.	,, ,,	200
,, ,, St. Thomas and St. David's	77.	,, ,,	30
North side (estimated)	100.	Now scarce	60
Regiment of horse	202.	,,	150
Total	2,440.		1,390

So that in one year we seem to be reduced by 1,050 men. Moreover all our privateers and seamen (who were a great guard and strength to the Island) have left us, and most of this has happened by the harassing and ill-using of the men-of-war, who have frightened away not only our own people but also those of the Northern Colonies from bringing us provisions. If the Island decay at this rate, it is not hard to guess what must soon become of it. I ask your opinion what is to be done to stop this ruin, and in what manner to represent our decaying condition to the King.

In reply hereto, we represent as follows. In our opinion the Island is in a dangerous condition, and not less than 1,500 men more will be sufficient to defend it against a foreign enemy or secure it from a domestic one if the slaves should make any attempt, for the Island is fifty miles broad and two hundred miles long, and the slaves number close on forty thousand. As to the frigates, we concur with you, and can see no remedy unless the King will entrust you with the same powers as former Governors have had over men-of-war, and sufficient men be sent from England from time to time to recruit them, so that there shall be no necessity for impressment in Jamaica. The French King has augmented his forces on Hispaniola alike by men sent out of France and by the inhabitants of other Islands whom he has lately transported thither. He has also in the Indies at present (as we are informed) eight men-of-war besides store-ships and fire-ships, and there is advice of fourteen more suddenly expected, so that we conceive the Island to be in greater danger now than at any time during the war, and we beg you to represent the same to the King. *Signed*, John Bourden, Pe. Beckford, Peter Heywood, Nicholas Lawes, Richd. Lloyd, Henry Lowe, Tho. Ayscough, Richd. Dawkins. 1½ *pp. Endorsed:* Recd. from Mr. Vernon, 1 Dec. Read 2 Dec., 1696. [*Board of Trade.* Jamaica, 8. *No.* 11 ; *and* 79. *pp.* 10-12.]

July 22. **98.** Journal of Council of Trade and Plantations. The proposals of Sir Matthew Dudley and others as to mines and naval stores in New England read. Order for Sir Henry Ashurst and Sir Stephen Evans to attend next meeting on the subject. [*Board of Trade.* Journal, 9. *p.* 20.]

[July 22.] **99.** The case of Sir Matthew Dudley and Company for working mines and producing naval stores in New England. In

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March, 1687, certain inhabitants of New England came over to England with specimens of ore; and several merchants subscribed £100,000 to work the mines. In August, 1688, an Order in Council was passed for a Patent to the subscribers, which was prevented from passing the great seal by the Revolution. In March, 1691, an Order in Council was passed for incorporation of Sir Matthew Dudley and Company, and in July, 1692, order was given for preparing Letters Patent for them. In May, 1693, heads of incorporation were submitted, and approved by the Attorney-General, who specially reported that he saw no means whereby the charter could be injurious to the New England provinces. The matter was then referred to the Treasury, who, on the solicitation of the New England Agents, recommended that the Government of Massachusetts should be consulted before the charter was passed. In January, 1694, the Company again put forward proposals, agreeably to a new order, which proposals were approved by the Naval authorities and again passed by the Attorney-General as no interference with the New England provinces. After two months of attendance for a favourable issue, an order was made, on the motion of Sir H. Ashurst and Sir Stephen Evans, that they should bring a shipload of naval stores within one year; who within eighteen months brought one small ship half laden, but since have wholly declined the [*word lost*]. Sir Matthew Dudley and Company are now before your Lordships to receive such encouragement as you think meet, but we beg you to consider how great our expenses have been, and that the privileges for which they ask will be no injury to the Colonies but rather the contrary, since they will colonise and plant those parts that are most subject to the depredations of the French. *Two large sheets, somewhat damaged. Endorsed*, Read 22 July, 1696. *Annexed*,

99. 1. Computations of the naval stores which Sir Matthew Dudley and Company undertook to supply in 1693. *Endorsed*, Read 22 July, 1696. *Large sheet.* [*Board of Trade.* New England, 8. *Nos.* 14, 14 1.; *and* 36. *pp.* 1-8.]

July 22. Treasury Chambers.

100. William Lowndes to William Popple. Forwarding extract from a presentment of the Commissioners of Customs for the report of the Council of Trade. *Signed*, Wm. Lowndes. ½ *p. Endorsed*, Read 24 July, 1696. *Annexed*,

100. 1. Extract from a presentment of the Commissioners of Customs to the Treasury, 17 July, 1696. Experience having shown that through the remissness or connivance of the Governors the Acts of Trade and Navigation are not enforced in the Proprietary Colonies, we desire that the Governors of the Proprieties may be men of reputation and estate and otherwise qualified for their trusts, it being laid down by a clause in the Act for regulating the Plantation Trade that they shall be approved by the King and obliged to take the oaths enjoined on the King's Governors before entrance on their offices. *Copy.* 1 *p.* [*Board of Trade.* Plantations General, 4. *Nos.* 2, 21.; *and* 34. *pp.* 18-20.]

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July 22. Jamaica.

101. Governor Sir William Beeston to Lords of Trade and Plantations. On the supposition that the French preparations might be designed against this Island I have put it into the best posture of defence that I could. I then made particular enquiry into our strength, and to my great surprise found that not only our privateers and seamen had left us but also that about a thousand of our Island people were wanting, by death and departure to other places. This I presently laid before the Council, with the result which I have enclosed to the Duke of Shrewsbury. The occasion of these defections of the people are the frequent depredations of the French on the out-parts of the Island, where, there being no strength to repel them, few weeks pass without the robbing and burning of houses in some of the remote settlements. Another reason is the frequent occasion of martial law, by which the ordinary people are kept at duty instead of being at work to earn their bread, which makes them retire to the Northern Colonies for greater quiet and ease. The privateers and seamen have left us because the men-of-war press and harass them so that they run away as fast as they can, and, even though they venture their lives by swimming from the ships, they get out of the country to other parts. This also is the reason that no vessels come to us with provisions or other necessaries from the Northern Colonies, and as there are no settled orders here to direct them, they do what they please. The Commissioners of the Navy have also forbidden Mr. Thompson (who was put in by the Lords of the Admiralty) to act any more, yet no one is appointed in his room, and now the ships will want necessaries and provisions, and there is nobody to furnish them. The merchants will not furnish money, lest on these contradictory orders the bills be not paid. The papers relating hereto I now send to Mr. Blathwayt, but what to do with the ships I know not, for, the Assiento and all other trade being gone, the merchants have little money and I have none, my allowance not nearly bearing my expenses. The Hampshire has been here near two years, and neither men, stores, nor provisions have been sent her, by which she is near spoiled, and yet I dare not send her home lest we should want her. If ships came oftener and returned, they would both convoy the merchant-ships out and home, return without victualling or expense here and save the King much money. Now they are of great expense and little use, because they are never fully manned and seldom in order. These many discouragements and the want of recruits make the people think that they are not regarded, and now the more so because, though it was thought in England that the French were designed hither, yet not so much as the few merchant-ships, that were expected here last Christmas, have arrived, so that they want everything, and also ships to buy and carry away their produce. The private Colonies also entice our people away daily, telling them of living there easy and quiet; and there also are the privateers and Red Sea pirates entertained, by which means they fill, while the King's own Colonies dwindle to nothing. These are such truths that I think I should be justly blamed for neglect of duty if I did not state them; and unless some speedy course be taken to encourage and assist the place, it must sink. I beg you to consider the size, produce, and importance of

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the Island. Wherever the French designs may lie, it is to leeward of Jamaica, so that I hope we have no great cause to fear them in this expedition; but if ever they design here, *the few men here cannot* reasonably be thought capable of defending so large a place, *nor will those stay to do it that can go off, unless they see* assistance sent *them. Signed,* Wm. Beeston. *Holograph.* 2 *pp. Endorsed,* Recd. and read 24 Nov., 1696. Answd. 12 Feb., 1696-7. *A short abstract is attached.* [*Board of Trade.* Jamaica, 8. *No.* 12; *and* 56. *pp.* 41-43.]

July 22. Jamaica. **102.** Governor Sir William Beeston to the Duke of Shrewsbury. My last was by the Russell, galley, which sailed on the 8th inst. and on the same day the Rose, galley, brought me yours of the 8th of December. On the advice of the French designs I put the country under martial law, and into the best posture of defence that I could, but on looking into the numbers I found a great defection in a short time, which highly concerned me. I called the Council and laid the state of the Island before them, with the result that I now forward to you. It is not fitting to be ventured lest it should fall into the enemy's hands and they should take advantage thereof; nor is it fitting to be concealed, lest for want of succour so important an Island should miscarry. It was very happy that the French designed not directly hither, else they had arrived a full month before I had any notice of them; and had they come on us by surprise with such a force I know not how far they might have gone. Had they only taken Port Royal they would have secured all vessels coming and going, and the country must have sunk for want of recruits. If the King would spare two small fire-ships, they would secure the harbour from any enemy daring to look into it, and could be maintained here with the Commander and a very few men to look after them; for when there should be occasion for them we could put more men aboard. The reason for the defection of the privateers and seamen is the men-of-war, which harass them daily, so that as fast as they get clear of the ships they run away from the Island, and those that are aboard come in no more for fear. Many of the land-men are gone for the same reason, and others owing to fear and to their losses; for this being the butt at which the enemy chiefly direct their malice, few weeks pass but their privateers land in some of the out-parts and plunder and burn, and this makes the people leave the Island for some place where they may be quiet and easy. Others leave it for want of trade and business, for, the Assiento having fallen and few ships or goods coming from Europe, they think the place neglected, and now much complain that though the enemy was thought in England to be designed hither, yet no assistance is sent. Nay, even the small recruits of three or four merchant-ships, which have been expected ever since last Christmas, have not arrived, so that people are discouraged, and if some speedy care be not taken, the rest that are able will leave the Island also. The French passed betwixt this Island and Cuba about the 20th of May, and now most think that they are gone to seize on Vera Cruz, though methinks the ships are too big for that place, the Hope, which they took from England, being the least of four besides what

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they have of lesser rates. Some English and two French came lately from Petit Guavos, who all agree about the number of the ships and say that twelve more are expected daily, and that besides store of provisions they have on board abundance of bricks, which seems for a settlement, though at Petit Guavos they know nothing of the design, which is kept very private. I hope we are rid of the danger of them, for if they hasten they are settled, and if they are baffled they will have no stomach to come here. Pray represent our condition and the value and importance of this Island to the King. I have received several packets from the Spanish Governors and other officers, which I have despatched to Carthagena and Porto Bello. *Signed*, Wm. Beeston. *Holograph.* 2 *pp. Endorsed*, R. 24 Nov. Recd. from Mr. Vernon 1 Dec. Read 2 Dec. 1696. Answd. 12 Feb. 1696-7. *Enclosed*,

102. 1. State of the Island of Jamaica as represented by Sir William Beeston, with his speech desiring the opinion of the Council thereon (*see No.* 97). *In Sir William Beeston's hand.* 1 *p. Endorsed*, Recd. and read 24 Nov. 1696. [*Board of Trade.* Jamaica, 8. *Nos.* 13, 13 1.; *and* 56. *pp.* 49-51 *and pp.* 40-41.]

July 23. Jamaica. **103.** Governor Sir William Beeston to William Blathwayt. I now transmit to the Duke of Shrewsbury a short state of the country and the Council's opinion thereon. The continual fatigues of the war and the want of trade cause a great part of the people to leave the place and seek for more quiet, for this Island, being the chief mark that our enemies aim at, is seldom quiet in one part or another, which tires out the people. I have also transmitted to you some account of the condition of the ships of war, which want men and all necessaries. By their management they have forced from us our privateers and seamen, who, rather than stay on the ships and be ill-used, *venture their lives to swim away*, and then leave the Island. So the ships are never manned for service, and the Island is dispeopled. Captain Wilmot, by the Admiralty's order, put in Mr. Thompson as agent to manage for the ships, and now the Commissioners of the Navy write and bid him desist; yet none is appointed in his place, whereby nobody will act or give credit, not knowing whether the bills will be paid. So that for want of supplies of men, provisions and necessaries from England, the ships are in an ill condition, and I know not how to help them, for I have here *no money*, there being no Assiento *nor trade*, nor other way to get anything, and *my allowance does not near bear my charges.* The Island is in a decaying condition, *the people being discouraged by daily losses and harassing of the war and seeing no assistance come to them.* Therefore the ordinary people, who are the strength, daily get away to the Northern Colonies and are frightened from returning with provisions and necessaries because the men-of-war tear away their men, who seldom, if ever, see their homes and relations again. Unless some measures be taken, the rest that are able will get away, and then the Island will be in great danger from any attempt. This I should not trouble you with, did I not think it my duty. I know you have many opportunities of laying our state before the King, who is our

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one hope of relief, for indeed the desertion for a year past has been very great, even of the inhabitants. The seamen and privateers were not only a great part of our defence, but our guards and watchmen, who brought us intelligence of any approaching danger. The want of care and some better order about the ships has been a great part of this as well as the war, *for they have pressed even the inhabitants and their servants and have used them ill.* This has been grievous, but I could not help them, having orders not to meddle with them nor with their discipline. The French passed between this and Cuba about the 20th May, and it is generally thought that they design for Vera Cruz, for they carry bricks besides abundance of stores and have able pilots. *By taking the management of the ships out of my hands, the Naval Office is fallen to nothing, so that I can get no one to take care of it.* When a ship of war goes home I will send the Acts and other papers. I have heard nothing from you about Porcio's debt to the merchants, which will be a great loss. There are so many things to discourage the Island that I greatly fear its decay, but I hope you will use your interest for our assistance. *Signed*, Wm. Beeston. *Holograph.* 2 *pp. Endorsed*, Recd. and read 24 Nov., 1696. Answd. 12 Feb., 1696-7. *A short abstract is attached.* [*Board of Trade.* Jamaica, 8. *No.* 14; *and* 56. *pp.* 44-46.]

July 23. Barbados. **104.** Governor Russell to Council of Trade and Plantations. H.M.S. Play has arrived from the Leeward Islands, whither I had sent her to take the news from Europe and to bring us intelligence. She brought me two letters from Commissioner St. Lo at Plymouth, saying that an advice-boat from England for Barbados had been taken by the French, and a letter from Governor Codrington that he had news of all being well in England. I am sorry that the vessel brought me no orders from you, the more so because Mr. Cranfield, the Commissioner of Customs here, shewed me a letter from Mr. Povey that you were writing to warn us of a French design on the West Indies and to defend ourselves vigorously if attacked; but I have received no such packet. While I am in command of this Island you may depend upon me to defend it to the uttermost. In another letter under this cover, I have given you my opinion that Barbados as the windwardmost Island is the key of all the West Indies, and that if it were in the hands of the French not only would the Leeward Islands and Jamaica fall, but the Danes, Brandenburgers, Dutch and Spaniards would be absolutely shut out from their trade to the West Indies. Having no engineer nor other officer to assist me I have been forced, with the greatest pains imaginable to myself, to visit very often all the forts, platforms and batteries, to examine everything in them and the ill condition that they are in, set down everything necessary to put them in better order, and draw up, as well as I can guess, an estimate of the cost. I know that it is incorrect, and I beg that you will pardon me, for the knowledge belongs to employment in which I have never served, though I venture to send it, believing that it may be of service to us. I submitted my list and computation to the Colonels of Militia, who agreed that the things asked for should be supplied, but could not mend the weakness of

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my own judgment. I also laid them before the Council and Assembly, where they have been some time, and I enclose copy of a speech which I made on that occasion, as also an account of the Assembly's answer and intentions. I also send ground-plots of all our forts and batteries, that you may see what irregular and defenceless things our fortifications are, which it is for me to defend. The number of them makes a great noise, but there is not one of them that school-boys may not climb into. Parts of the Island are fortified by nature, and the best landing places were in Colonel Kendall's time provided with a bank or breastwork and a trench within it, deep enough from the top of a bank for horse to march in, and covered and broad enough for four or six to march abreast. This was very useful, but as no men were paid or appointed to keep it in repair, the bank is in many places trampled down by cattle and the ditch filled up. I hope that we may get an Act passed for the negroes to repair it. I also send you a list of my last general review of the militia, which I made in one day, so as to see them all. You will judge how small is the force that we have to depend on. I must acquaint you that the sending of the recruits for my regiment to the Leeward Islands has been the greatest possible injury to it. Half of them were lost by death and desertion before they came here, and several that arrived sick from thence are since dead. Please move the King for a detachment of two hundred good men to recruit them. When you have seen what a thin militia we have to defend so important a place as I conceive Barbados to be, particularly to England, but also (as I think) to Europe in general, I hope you will obtain recruits for the regiment, if not additional companies. I am sure that you are sensible of the difference in the service of soldiers in pay, whose sole business is arms, and the militia of a country who think military affairs to be not their concern, except when they have nothing else to do, and so are generally unacquainted with exercise, command and obedience. The Assembly are sensible of the good order and discipline of my regiment and think them well worth preserving, so knowing that the soldiers cannot live here on the King's pay they have passed Acts to give them additional subsistence and to give also some help to the officers, who are soldiers of fortune, having nothing else to live on, and found it impossible to live on the King's pay. I have sent the Acts home for confirmation. I believe nobody would have imagined our strength to be so small and our forts so irregular and unfortified that they cannot defend themselves against anything on land if an enemy gains a footing. So that if the enemy does land, in spite of all that I can do, and in such numbers that I may not venture a battle, they must become masters of the forts and thereby be able to protect their ships and live on the supplies which are in them. One thing we want, which I think is in all other places but this, namely a citadel for our last refuge. I wish we had one, and I hope the King will send us one or two engineers, when I may hope to put the country upon building one. Still I have never been able to persuade them to make any little fortification about any town or place, where their wives and children might be safe from any violence of the negroes, if any invasion should draw all the white men to the seaside for defence.

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While I was writing this letter there arrived H.M.S. Newcastle with orders for the Bristol and Play to return to England. The Assembly brought up a Bill to raise money to buy certain things necessary for the country, to pay for ships taken up for the expedition to Martinique and to purchase one hundred white servants; but it needed so many amendments, and the Council had so little time and so much private business before the fleet sailed, that they adjourned until the fleet was sailed, and so nothing was done. Pray move the King that the stores for which I have asked may be sent to us, as also such other things as are necessary but not mentioned, for we are still in so ill a condition in every particular that the Island is not safe if it be attacked before supplies reach us. I beg, too, that a very good engineer may be sent us, or two in case of mortality, so that our fortifications may keep us from falling into the hands of the French if they attack us. Such stores as may be sent I beg may be despatched by first convoy, before an enemy has time to attack us, and if any ships of war bound for Jamaica or the Leeward Islands sail with them I beg that they may see them to the south end of Barbados, which is not above forty-four hours out of their way, whereas the loss and disappointment of the stores must mean the loss of Barbados if attacked. I hope, too, that you will obtain me two hundred recruits for my regiment, and that they may not be sent to the Leeward Islands, which has made havoc among them. The Leeward Islands may be attacked by privateers from Martinique, who land in one night, plunder the plantations, and are gone next day; but I am pretty well assured that it is not the interest of France to take any of the Islands to leeward, while Barbados, to windward, is in the hands of the King of England. The two places which it could best serve the French interest to possess are Barbados and Petit Guavos. With these two places a fleet and a body of landmen would make the French King one of these days master of all the European Princes' trade in the West Indies. He seems to have slighted several places settled by his subjects in these parts and has, we hear, transferred his subjects from many places the better to re-settle Petit Guavos. Even Martinique itself seems to have not so much care taken of it as formerly, nor does the Governor encourage to build there; and all the reason, I apprehend, is that the French King has an eye on this Island, which, so long as I am in command of it, shall be defended to the utmost, so I hope the King will send us a supply to enable me to do it. Were our fortifications in good order and neither stores nor ammunition wanting, this Island ought never to be surrendered; and I believe that if the French were masters of it for a twelvemonth, all Europe would not be able to take it from them. *Signed*, F. Russell. *Four closely-written pages. Inscribed*, Recd. and read, 30 Oct., 1696. *A short abstract is attached. Annexed*,

104. 1. An alphabetical list of articles required for the forts and batteries of Barbados, which may be procured here and in North America. This list includes men as well as stores, and to each item is appended an estimate of the cost. Total, £12,610. 3 *pp. Endorsed*, Recd. 30 Oct., 1696.

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104. II. A list of the militia of Barbados. *Cavalry.* Troop of Life Guards, 48 men. Bishop's Regiment of Horse (6 troops), 297 men. Farmer's Regiment of Horse (6 troops), 279 men. *Total Horse*, 624.

Foot. Salter's Regiment, 420; Ramsay's Regiment, 264; Frere's Regiment, 384; Boteler's Regiment, 220; Bayly's Regiment, 214; Waterman's Regiment, 204. *Each Regiment has eight Companies, and the names of the Captains are given.* Total Foot, 1,706. 2 *pp. Endorsed* as *No.* I.

104. III. Speeches of Governor Russell to the Council and Assembly of Barbados. I have taken great pains to ascertain every want of this country, and to make a list of stores for your magazines, forts and batteries, according to my recollection of other places that I have seen and to the best of my judgment. I have served in many posts in the Army, but never in the Ordnance, which I think a misfortune, since I find myself in this Island, which I look upon as the frontier of the West Indies, where there is neither engineer, cannonier nor firemaster, and I cannot myself pretend to be either. However, I have omitted nothing that my little knowledge can suggest to me, and I have made a computation, at a guess, of the cost. I had no design of exposing myself by shewing this list, but I wished to have some estimate of the sum which I would recommend you to raise. I am sensible, too, that these papers should not be made public, but you have pressed me so importunately to let everyone know what is in the magazine (which I cannot), that I feel obliged to let you know what additional supplies are needed, and the cost of every particular. At our last meeting I laid before you an account of the things which could only be obtained in England, believing that they required the greatest dispatch, for if this fleet should sail before you have taken your resolutions herein, we may not have another opportunity till next spring. No one knows where the seat of war will be next summer, so everyone ought to prepare at least to secure themselves from being surprised. I now lay before you a list of articles which I believe you may obtain here or in North America. The last time I spoke to you I said that I did not wish any of the money to pass through my hands, and that I could not undertake the trouble to provide you with such things as you want. I thought this would have satisfied everybody that I could have no design to advantage my own purse; but to prevent all scruples and to hasten the business I lay this list before you, with the estimate which I made for my own use, and I shall be well pleased if you will send them home to be corrected by the Lords of Trade and the Commissioners of Ordnance. I know your loyalty, and you know that what levies are raised must be raised now, when the crop is gathered. I beg therefore that you

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will come to a speedy resolution. I assure myself that you will go on vigorously in this affair, and you may be assured that I have no aim but zeal for the King's and this Island's service. You mention a sum of £2,500 raised to be a standing stock to supply the country with small arms, and you say that you expect to find them in the magazine. I have been so busy with emergent affairs since my arrival that I have had no time to look into that, but if you will give me particulars of the money I will make strict enquiry into the matter. The Royal Instructions forbid money to be issued but under my warrant in Council, but permit the Assembly to examine the accounts of the disbursements thereof. So if you will let me know what the money is, you shall have an exact account. 2 *pp.*

Second speech of Governor Russell to the Assembly. So many members were absent at our last meeting that I have called you together again. The fleets for Europe and North America will sail in two or three days, so what is done for the preservation of the Island must be done now, especially the sending for supplies from England, or it may be too late. I count on your loyalty and on your readiness to defend the Island. Some gentlemen were formerly of opinion that we had no enemy at our door, but they have seen their mistake and now join heartily to prevent the encouragement which the Martinique privateers once met with, the loss from which was fifty or sixty thousand pounds until we sent ships to cruise for the safety of our shipping. I now ask you to take the same precautions against an enemy on shore. I dare not lay open to you our true state, having too much reason to fear that our enemies may know it before our friends can supply us. Since I came I have never consulted the advantage of my purse and I have no design to do so now, for I desire no part of what I now propose to you to pass through my hands. I must now tell you that, heavy though the tax may be, less than £10,000 will not make good the wants in your magazines and put your fortifications in order. If they are not in order I cannot preserve them, nor the towns, nor your country, nor my own reputation. The King and Nation, sensible that the additional duty bore heavy on you, have not renewed it; and though your losses have been great you must secure the last stake. It will be much cheaper to preserve your country now at any price than to recover it hereafter from your enemies. Let me remind you also that the country's credit is so stained by the debts you owe for the ships taken for the Martinique expedition, that none will trust it till these are discharged. 1¼ *pp.*
A short abstract is attached to each speech. The whole endorsed as No. 1.

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104. IV. Alphabetical list of military stores required for Barbados, which can only be obtained from England. An estimate is attached to each item, the total amounting to £10,169. 5 *pp. Endorsed as No.* I. [*Board of Trade.* Barbados, 7. *Nos.* 5, 5 I.-IV.; *and* (*without enclosures*) 44A. *pp.* 10-16.]

July 23. Barbados. **105.** Governor Russell to the Duke of Shrewsbury. I thank you for your letter which arrived on the 12th inst. You tell me that you learn from Mr. Bridges that I had given the place of clerk of markets to Mr. Harmsworth, and that you had got it confirmed to him, for which I thank you. Several people here are informed by their last letters that seven or eight gentlemen have been added to the Council. Mr. Povey tells me that the first six whom I recommended are appointed, and three others, whose names are not given. Mr. Hothersall and Mr. Terrill have delivered me their warrants. The first has been sworn of the Council, the other has unhappily been seized with the fever, from which not one man in a hundred recovers; and I am afraid he is dead. We have lost two very honest men lately by this distemper, Colonel Boteler and Colonel Bayley. The first was one of the best men I ever met with, and both worthy, loyal gentlemen, though the rest of the militia officers are as loyal, and shall be so while I am Governor. Mr. Burke tells me that there was a warrant for his admission to the Council but that it was stopped at your office, whereat he is much concerned. Thinking that someone may have misrepresented him to you, he begs me to bear witness to his loyalty, substance and good behaviour, which I gladly do. I have written to the Committee as to the wants of the Island. If the King will send us supplies and one or two engineers to put our fortifications in order I will be answerable that this Island shall not be surrendered unless I am betrayed from within. If the French should master it I believe all Europe could not take it again. I believe that a good engineer will confirm what I say, that the Island is not now in a condition to defend itself. Pray obtain for me leave to accept presents made me by the Assembly when made, as in this time of war I have to wait two years before I receive them. *Signed,* F. Russell. 1½ *pp.* [*America and West Indies.* 476. *No.* 64.]

[July 23.] **106.** Extract of so much of preceding letter as concerns Mr. Burke. 1 *p.* [*Board of Trade.* Barbados, 7. *No.* 5A.]

July 23. Whitehall. **107.** Order of the Lords Justices of England in Council. Referring extract of a presentment from the Commissioners of Customs to the Council of Trade for report. *Signed,* Wm. Bridgeman. ½ *p. Endorsed,* Read 27 July, 1696. *Annexed,*

107. I. Extract from a presentment of the Commissioners of Customs to the Treasury. We move, as highly conducing to the execution of the Acts of Trade and Navigation, and for the regulation of the Plantation Trade, that Courts of Admiralty may be erected in each Colony, and that persons of known ability and integrity may be empowered by Commission of the Admiralty to do their duty therein, and that persons of experience

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in the laws may be nominated by the King and recommended to the Governors as Attorneys-General for the prosecution of bonds, trial of seizures and other matters connected therewith. *Copy.* 1 *p.* [*Board of Trade.* Plantations General 4. *Nos.* 3, 3.1; *and* 34. *pp.* 20-22.]

July 24. **108.** "A discourse how to render the Plantations more beneficial and advantageous to the Kingdom," by Edward Randolph. The wealth and security of this Kingdom has long depended on its trade and navigation, but masts and timber for building ships, as well as all other naval stores, being through long consumption become dear and scarce commodities, are not to be had from neighbouring countries but at excessive rates, and then only in time of peace; so that in case of sudden rupture with Sweden or Denmark England's navigation is in danger to be lost unless supplied from France or Holland, though not without difficulty and at proportionable expense. Our present trade with the Swede and Dane makes greatly to their advantage. Our merchants formerly bought in these countries timber and naval stores at easy rates for our coarse British manufactures; but of late they have set the dice upon us and forced us to pay higher prices, and two-thirds ready money, for commodities of inferior quality, which drains England unavoidably of large sums annually. Nor is our trade to the East Indies (from whence the greater part of our saltpetre is brought) so well secured but that it may be unexpectedly engrossed by our neighbours, and we must then depend on them to supply us with saltpetre as now with spice, etc. I would therefore point out that England may be plentifully supplied with timber and naval stores from the American Colonies. (1.) Trees fit for masts grow plentifully in New Hampshire and New England, though till of late much destroyed by saw-mills and canoe-makers. Many great masts are yearly brought from thence, but now not many such trees are to be found nigh the water in either province, and it is therefore more chargeable to carry them seven or eight miles by land and afterwards float them to the ships. In a little time necessity will force us to make masts of cypress-trees, which are very large and in great plenty near navigable rivers as at Chickahominy in James River, at West Point and elsewhere in York River and Rappahannock, and in several rivers in North Carolina. At Kennebec River are abundance of very fine trees fit for masts and at Abigadusitt (ten miles from its mouth) is a place for a saw-mill, and enough pine and fir to load forty or fifty ships annually. On Bear Island also, not far from Kennebec to the north-east, are large fir trees fit for masts; but in 1689 the Indians, supplanted by the French, drove the English out of Kennebec and the more northerly settlements, demolished and burnt the new fort built by Sir E. Andros and destroyed or captured most of the inhabitants of Maine. They have since destroyed the town of Dover and many people in New Hampshire, so that the Piscataqua River, where the masts remaining in the two provinces can be shipped off, is the only place to be depended on at this time for great masts of fir. (2.) As to timber and plank, there are very vast quantities of oak growing on every creek and river from Pemaquid

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to Virginia, with convenient places and depth of water to build ships. Sixty sail of good ships from 200 to 500 tons may yearly be built in these Colonies at one-third less charge than in England, as at Piscataqua (where the frigate Falkland, 700 tons, was built three or four years ago), Salisbury, Salem, Boston, Charlestown, Hingham, Rhode Island and elsewhere in New England, also at Mamaranack River, twelve miles south from New York, and in Pennsylvania, Maryland and Virginia. (3.) Pitch and tar in great quantites are already made at several places, as for instance New Plymouth and Connecticut, which not only serves that country but leaves some hundred barrels over for export to the West Indies. There are also several islands near Chesapeake Bay and innumerable trees in the main land to make pitch and tar of. On the branches of Elizabeth River in Virginia pitch and tar are staple commodities, and more could be made everywhere if there were a market. (4.) Rosin enough may be made in these Colonies to supply England and her neighbours. About four years ago some French Protestants made rosin not far from Boston at their own plantations, and shipped two tons to try the market in England. It was approved of to be as good as any brought from France, but the charge for necessaries to begin the work and the high freight in war-time made them losers and stopped their further undertakings. (5.) Hemp and flax grow very kindly and plentifully in all the plantations, and some Colonies have laws obliging them to sow yearly a quantity of hemp and flax-seed according to the number of servants. In Rhode Island they have more than they have use for, and sell it to their neighbours. I have seen as good bright dressed flax brought from there to Boston as I have seen in England. They use their hemp for linen and cordage, but sow not much for want of servants. (6.) Saltpetre. Some sorts of the materials for making saltpetre are found almost everywhere in the Colonies. The rocks near the shore in some parts of New England are covered very thick with the dung of sea-fowls, and in the woods where wild pigeons take their constant stand, not far from plantations, the ground is three or four feet thick with their dung. So also are the floors of old tobacco-houses in Virginia and Maryland. Likewise the earth on the bank sides of some of the great rivers from Virginia, above sixty miles from the salt water, is naturally very salt, insomuch that in some places it is furrowed very deep by the tongues of wild beasts which come constantly to lick it. Ten or twelve years ago Dr. Daniel Cox, then one of the Proprietors of West Jersey, sent a Frenchman to make saltpetre in the province. He made some, but as the Doctor's agent failed to supply money he left off, and the work was ruined. He told me there were plenty of materials, and desired me to recommend him to Sir E. Andros to be employed in making saltpetre, but falling into a trade with the Indians for furs he is now settled on the southern shore of Delaware Bay. There is in the Bahama Islands salt enough to supply all England, and I doubt not but the materials for saltpetre could be found. It is necessary that the great timber in the Colonies should be saved from waste. I append copy of an Address from the Council and Assembly of Maryland in support of my statements. *Here follows copy of the*

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said Address, reporting that there is abundance of timber and naval stores in Maryland, but that the industry has been little cultivated for want of a market. *The whole*, 4 *pp. Endorsed*, Presented by Mr. Randolph, 24 July, 1696. [*Board of Trade.* Plantations General, 4. *No.* 4; *and* 34. *pp.* 12-18.]

July 24. **109.** Journal of Council of Trade and Plantations. Sir Henry Ashurst attending, declared that he had formerly opposed the grant of a patent to Sir Matthew Dudley and Company, not only as a private person but by order of the Colony of Massachusetts. He also produced a paper of offers from the General Assembly as to naval stores, and shewed further certain instructions as to complaints expected to be made by Mr. Jahleel Brenton. Mr. Randolph produced a paper in writing as to importation of naval stores (*see No.* 108). A presentment of the Commissioners of Customs as to the Proprietary Colonies was read. [*Board of Trade.* Journal, 9. *pp.* 22-24.]

July 25. **110.** Minutes of Assembly of Nevis. The three members formerly objected to were sworn, as also was William Bates, Clerk of Assembly. A joint Committee appointed to draw up articles of war. The Assembly then asked leave to adjourn from time to time till it should have prepared a representation of the needs and grievances of the country. Four members of the Council having withdrawn in order to prevent the Assembly from having any reply to its messages, the Assembly expressed its full confidence in Lieutenant-Governor Gardner, and resolved itself into a Committee to prepare the representation aforesaid. [*Board of Trade.* Leeward Islands, 64. *pp.* 376-378.]

July 25. Barbados. **111.** Edward Cranfield to James Vernon. I beg you to give the bearer, Major Hawkins, access to the Duke of Shrewsbury, to give him a verbal account of affairs here. Major Hawkins is a very honest, loyal gentleman who has served very honourably both at St. Christophers and Martinique. I have sent by him three pounds to be spent in the company of yourself, Mr. Yard and Mr. Lowndes. *Signed*, Edw. Cranfield. *Holograph.* ½ *p.* [*America and West Indies.* 456. *No.* 65.]

July 25. **112.** Edward Cranfield to the Duke of Shrewsbury. I beg to refer you to the bearer, Major Benjamin Hawkins, for an account of affairs here and in the Leeward Islands. He served as a Captain under Sir Timothy Thornhill at St. Christophers and as Major under Colonel Boteler at Martinique. I send you two loaves of refined sugar. *Signed*, Edw. Cranfield. *Holograph.* ½ *p. Endorsed*, R. 15 Sept. [*America and West Indies.* 456. *No.* 66.]

July 27. **113.** Journal of Council of Trade and Plantations. Mr. Randolph was ordered to attend next meeting. The Order in Council of 22 July (*No.* 100), with its enclosure read. [*Board of Trade.* Journal, 9. *p.* 24.]

July 27. **114.** Minutes of Council of Massachusetts. A letter of 21 April from the Privy Council read, giving warning of a French design against America, promising assistance and ordering all preparations to be made for defence. A letter from Colonel Pyncheon was read, giving intelligence that Count Frontenac was at Montreal

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with 2,000 French and 1,000 Indians, intending to attack the Five Nations and Albany, also that a body of Indians was designed against the eastern parts of New England. Order for the embargo to be continued for another month and for the work at the fortifications to be vigorously pursued. Order for payment of £300 for purchase of provisions for the soldiers and seamen. [*Board of Trade.* New England, 49. *pp.* 38-39.]

July 28. **115.** Minutes of Assembly of Nevis. Resolutions of the Assembly:—To represent its grievance against the Council, since the Council have made themselves judges of elections, compelled elected members to show their titles to their estates, and withdrawn themselves in order to obstruct business, so that no continuous assembly can be held and no law passed to compel the inhabitants to military duty; to represent also that good officers have been displaced to make room for less good, and liberty granted to privateers to take men at their pleasure; that the Provost-Marshal has given no security, that the Secretary being a lawyer in practice has power to alter records, that the Chief Judge, Charles Pym, has many complaints against him, and that the Island generally suffers from the corruption of officers, want of regulation of Courts, insecurity of titles, and uncertain regulation of elections. The treasurer's time is expired and the Council will not join with the Assembly to renew it, nor to raise money. Above all the Instructions to the Lieutenant-Governor have deprived the Island of all power to pass laws by the Governor, Council and Assembly. [*Board of Trade.* Leeward Islands, 64. *pp.* 378-380.]

July 29. **116.** Journal of Council of Trade and Plantations. Mr. Edward Randolph delivered a collection of papers (*see No.* 120) and was ordered to draw up a scheme of proposals to remedy the defects in the prosecution of offenders against the Acts of Trade in the Colonies. Mr. Locke handed in copies of the papers as to naval stores brought from New England by the Agents. Order for Sir Christopher Wren to be consulted as to the new rooms for the office, and for the Chancellor of the Exchequer to be reminded as to the money for incident charges. [*Board of Trade.* Journal, 9. *pp.* 25-27.]

July 29. **117.** Endorsement of a collection of papers (abstracted under their dates) respecting the naval stores imported by Sir Henry Ashurst and Sir Stephen Evans, which were sent by the Admiralty to the Council of Trade and Plantations. [*Board of Trade.* New England, 8. *No.* 15.]

July 30. Bermuda. **118.** Governor Goddard to Lords of Trade and Plantations. On the 18th inst. arrived your order relating to the differences between Mr. Richier and myself, which shall be punctually obeyed; but I was much surprised at the preamble, which recites Mr. Richier's first petition; and the words of the order run pursuant to it, without any notice taken of the untruth of his allegations. In the petition he sets forth that I seized £1,000 of his effects, whereas the whole value was not £150, and I offered to return it immediately on his giving security to stand to your determination about the spermaceti whale. Secondly, he most untruly and unjustly charges me with imprisoning him, whereas it is notorious that he was never imprisoned on my account in his life, nor was he

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imprisoned at all when he sent in that petition. Yet he had the boldness in a second petition, of 17 March, 1695, to charge me again with keeping him a prisoner, though at large, whereas he was not in prison at all till several months after Mr. Trott's departure for England. Again he says that I disobeyed your orders, whereas I performed my part of them and he disobeyed by refusing to give security. This being so fully proved before you, I wondered that no notice was taken of the untruth of Mr. Richier's allegations. Mr. Trott told me that he did prove such untruth, and that you ordered Mr. Richier to pay Mr. Trott's bill of costs; but for what reason the report was drawn up as it is, and why Mr. Trott was not allowed his costs pursuant to your order, he could not tell. I write thus, not because I am aggrieved at your order but because I was always willing to do what you now order, and proposed it several times. I mention the other matter only to justify myself against Mr. Richier's aspersions, for I should have thought myself very culpable if I had disobeyed your order, as he alleges. Not only was he never imprisoned by me but I staved off Governor Trott's execution against him for near two years, until I was warned that it would be made cause of complaint against me. In June, 1695, he was taken in execution at Governor Trott's suit, not by any act of mine, and now lies in prison, from which I have no power to release him without making myself accountable for his debt. All, therefore, that your Lordships order I will obey, but release him from prison I cannot, since he is there not at my suit but at Governor Trott's for a sum of £1,246, and my Counsel advise me that if I do I shall be responsible for the debt. I will write more fully as to the Island in October; meanwhile I enclose an extract from the Minutes of Council for my justification. *Signed*, J. Goddard. 2¼ *pp. Endorsed*, Recd. 26 Sept., 1696. Read 30 Nov. *An abstract of the letter is attached. Annexed,*

118. 1. Extracts from Minutes of Council of Bermuda, 5 Nov., 1694. Declaration of the Council, in reply to a late letter from Whitehall, that Isaac Richier is imprisoned at the suit of Mr. Trott; but that Richier has twice been committed to the custody of the Sheriff by the Council, for contempt of an order of Council and on a charge of disaffection.

29 Jan., 1695. On reading the petition of Isaac Richier to the King, the King's and Council's order thereon and the proposals made by Governor Goddard to Richier, the Council resolves that these proposals are a full compliance with the Council's order.

4 March, 1695. The Council declares Isaac Richier's allegation, that Governor Goddard had demanded £1,000 as half the profits of the Governor's place from the date of his commission, to be false and scandalous.

6 May, 1695. The Council consider that Governor Goddard was justified in refusing to accept the bond offered by George Dew on behalf of Isaac Richier. *Copies.* 3 *pp. Endorsed*, Recd. 26 Sept., 1696. [*Board of Trade.* Bermuda, 3. *Nos.* 1, 11.; *and* (*without enclosure*) 29. *pp.* 1-5.]

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July 31. **119.** Journal of Council of Trade and Plantations. The Secretary made a report as to the money for incident charges. Order for Mr. Bridges to send all papers that he has concerning Governor Russell's present, the records having not yet been received. Mr. Randolph handed in certain additional papers (*No.* 120 II., V.). He added that he had brought copies of some of the trials of ships with him, and that nothing could be done as to swearing Governors to observe the Acts of Trade until the Council should settle the business.

Sir Henry Ashurst handed in several papers (*No.* 120 I., III.). He then argued again against Sir Matthew Dudley's proposal, and recommended that fit persons should be sent to America to examine a report as to naval stores. Mr. Brenton delivered certain proposals on the same subject. [*Board of Trade.* Journal, 9. *pp.* 27-30.]

July 31. **120.** A collection of papers handed in by Edward Randolph in reference to the enforcement of the Acts of Trade and Navigation in the Colonies.

120. I. A list of the Governors of the various Colonies. Against the name of Caleb Carr, Governor of Rhode Island, Randolph has written: "An illiterate man. This is one of the places which harbours pirates. Captain Tew, a pirate, came thither last year with a very great sum of money and four vessels very well manned. He sailed from thence to the Red Sea some time after." *Here follows* a short statement of the oaths and duties enjoined on the King's Governors in respect of the Acts of Trade and Navigation. 1½ *pp. Dated,* 29 July, 1696. *Endorsed,* Read 31 July, 1696.

120. II. A list of several vessels seized and prosecuted by Edward Randolph in Pennsylvania, Virginia and Maryland, between 1692 and 1695. It appears that he lost his suit in every case; and he adds at the end of the list: "From all which I represented to the Commissioners of Customs the illegal trade in the plantations was supported and encouraged by the general partiality of Courts and juries (biassed by private interest) in suits relating to the Crown."

120. III. A list of names submitted by Edward Randolph as officers of the Courts of Admiralty in the Colonies.

Colony.	*Judge.*	*Register.*	*Marshal.*	*Attorney-General.*
Virginia and North Carolina	Edward Hill	Myles Cary	Michael Sherman	Edward Chilton
Maryland	Henry Jowles, Geo. Robotham	Henry Denton	Thomas Collier	Edward Chilton
Pennsylvania and West Jersey	Rich. Holloway	William Rodney	Robert Webb	Edward Chilton
New York, East Jersey, Connecticut	William Smith	John Tuder	Gervase Marshall	James Graham
Rhode Island	Peleg Sanford	Nath. Coddington	William Allen	Thomas Newton
Massachusetts	Nath. Byfield	Lawrence Hammond	Henry Franklin	Thomas Newton

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The fees of the officers in the Admiralty Courts should be fixed by the Judge of Admiralty in England to be approved by the Governor and Council, or as otherwise directed. On the death of any officer the Governor should fill his place, reporting the same to the Admiralty in England. There can be no establishment of Admiralty Courts in the Proprietary Colonies until the Government is regulated according to the terms of the Act for regulating the Plantation Trade. 1½ *pp. Dated,* 31 July, 1696.

120. iv. Proposals offered to the Commissioners of Customs for more effectual execution of the Act to regulate the Plantation Trade. (1.) The Governors of all the Proprietary Colonies should be duly qualified under the said Act. (2.) Fit persons should be duly qualified to be Governors of Carolina and Pennsylvania to check the illegal trade carried on with Scotland, the Dutch Colonies and other places. (3.) A commission under the Great Seal should be issued to administer the oaths to all the present Governors, and to future Governors before they enter on their office. (4.) A Judge, Register and Marshal of Admiralty and an Attorney-General should be appointed in all the American Colonies. (5.) Collectors and others who have by ignorance or connivance encouraged illegal trade should be removed, and honest men put into their places and into all vacant places. 1 *p. Endorsed,* Presented 31 July, 1696.

120. v. A further list of officers suggested for the Admiralty Courts in the Colonies.

Colony.	*Judge.*	*Register.*	*Marshall.*	*Attorney-General.*
New York -	Will. Smith -	John Tuder -	Gervase Marshall	
Bermuda - -	Gilbert Nelson	Sam. Spoferth	Sam. Duffey	Nicholas Trott, jun.
South Carolina	James Moore	Ralph Izard -	Ed. Rawlings	Jonathan Armory
Bahama Islands	Chris. Hooper	John Warren	John Corke -	John Graves
New Hampshire	John Hinks -	Rob. Tufton Mason	Pheasant Estwick	Thomas Newton

1½ *pp. Inscribed,* Given in on 10 Aug. *Endorsed,* Presented 31 July, 1696. [*Board of Trade.* Plantations General, 4. *Nos.* 5 I.-V.; *and* (*Nos.* III.-V. *only*) 34. *pp.* 22-26.]

[July 31.] **121.** Proposals of Jahleel Brenton for supplying England with naval stores from New England. England has always been supplied with deal, with a great part of her timber and with masts. Of late years only foreign ships having been employed in importing these commodities, the produce of these commodities is for the most part carried to Norway in our silver coin. Last year about one hundred and thirty ship-loads of them were brought into the Port of London, but in former years much more. The reason for the decrease was that the importers could not then get good money

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to carry to Norway, but our silver being now new and coined, the imports will soon be as great as ever. New England could supply all these commodities much better than Norway, none but English ships would be employed in the traffic, and the commodities would be paid for by English manufactures. The price of these commodities is already lower in New England than in Norway, and if the place that is designed be chosen for the trade the price will be lower still. Tar and pitch alone are not yet got into perfect trade in New England. Owing to the length of the voyage and the danger from French and Indians the first adventures in supplying stores from New England need assistance and encouragement. It is therefore proposed that the King should grant a certain tract of the land which he has reserved, with a charter of incorporation, to those who will adventure in that trade, that they may have power to govern and protect their workmen; that he should grant them also a garrison sufficient to curb the French and Indians there, and that Parliament shall admit the goods free of duty and give a bounty of £20 a ton on them. There are persons ready to subscribe the necessary money and to embark on the venture immediately. It may be objected that those commodities cannot be brought from New England as cheaply as from Norway, and this is confessed. But on the other hand great advantage will accrue to England from the number of great ships that will be employed, the consequent increase of seamen, the enlarged demand for English manufactures in New England and the saving of money which is now sent to Norway. The place designed for the settlement of this trade is also one of the best places for a fishery in America, where more men could be employed in the fishing trade than in Newfoundland. For these reasons the adventurers hope that the King and Parliament will grant them what they ask, also convoys for their ships, and liberty to employ foreign seamen while the war lasts. Moreover, if this trade with New England be not promoted the people there will be obliged to manufacture their own cloth (as has been lately done in Ireland), whereas in the time in which they could make so much cloth as they could purchase of the company for thirty shillings, they might get timber enough in the woods to sell to the company for four or five pounds. *Signed*, Jahleel Brenton. 2½ *pp.* *Endorsed*, July 31, 1696. [*Board of Trade.* New England, 8. *No.* 16; *and* 36. *pp.* 17-21.]

[July 31.] **122.** A collection of papers in reference to the matter of Sir Matthew Dudley and Company's case (*see No.* 99).

122. I. Copy of the letter of the Governor, Council and Assembly of Massachusetts of 15 June, 1694. *Already abstracted under date in a former Volume.*

122. II. Copy of the offer of the Lieutenant-Governor and Assembly of Massachusetts to provide naval stores for the Royal Navy. ½ *p.*

122. III. Extract from the instructions given to the Agents of New England. Ordering them to prevent the passing of the charter of Sir Matthew Dudley and Company, if the attempt to pass it should be renewed; also to represent it as a grievance that Mr. Brenton has pretended

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to hold an office for entering and clearing of ships in the province, the Council and Assembly being ignorant of any law that warrants the same, and having appointed an officer of their own for that purpose, and to beg that the grievance be redressed. *All the above documents endorsed*, Presented by Sir Henry Ashurst. 31 July, 1696. [*Board of Trade.* New England, 8. *No.* 17 I.-III.; *and* (*No.* I. *only*) 36. *pp.* 14-17.]

July 31. **123.** William Popple to William Bridges. Asking for any papers in his hands relative to Governor Russell's particular business, as the Council of Trade has not yet been able to take over all the records of the Plantation Office. [*Board of Trade.* Barbados, 44 A. *p.* 2.]

July 31. **124.** Minutes of Council of Jamaica. The warrants for admission of Edward Broughton, Charles Chaplin and Thomas Ayscough to the Council were read and the two former were sworn. A petition of Usher Tyrrell referred to a Committee of two members for report, as ordered by the Council of Trade. Orders for payments. Order for the roll of the Acts approved and disallowed by the King to be entered in the Council-book. [*Board of Trade.* Jamaica, 79. *pp.* 12-13.]

July. **125.** Representation of the Council and Assembly of Barbados. Our land, by long tillage and being every year opened and exposed to the violent heat of the sun, is become so barren that it will not produce sugar-cane unless forced by great quantities of dung and other extraordinary husbandry and labour, which requires double the number of negroes, cattle, and horses that were needed when the land was fruitful. These cannot now be procured for less than double their former price, and all other materials and expenses in making sugar are also doubled. Many of the best plantations, which once made great quantities of sugar, now make little or none, and near fifty other plantations are ruined and discontinued. One-third of the sugar-cane land lies waste and over-run with weeds, which is lamentable to the owners and to all who remember its former flourishing state. Consequently one-third less of sugar is made, one-third less of English manufactures bought, one-third less of shipping employed. Some years ago we had near 70,000 negroes in this Island, but it now appears by the poll-tax that there are but 42,000. This want of negroes is one of the fatal causes of the impoverished condition of the Island, and this diminution of our negroes is caused by the short supplies and ill usages of the Royal African Company, who for many years past have not supplied us with half the negroes that we require, while the few that are brought here are sold only at exorbitant prices (they having the monopoly of that trade) and at immediate payments, whereas in former times planters could be trusted on much easier terms, both of price and time. Negroes were then £15 a head; they are now £30. But the greatest occasion of reducing the Island was an additional duty imposed upon sugar in the reign of King James, which, with the other duties and charges in making and transporting sugar, devoured almost the whole proceeds and left most of us ruined or

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deeply indebted. Of late we have had great losses by storms, but much greater by French privateers, who in less than twelve months have taken from us more than fifty sail of laden ships, over and above two hundred vessels trading to and from the Island. These losses have discouraged ships from coming to the Island so much that freight is risen from £5 to £25 *per* ton, insurance from 3 to 20 guineas *per cent.*, salt beef and pork from 25 shillings to 70 or 80 shillings *per* barrel, salt fish from 10 shillings to 25 shillings *per* quintal and all other commodities in like proportion; so that though the value of sugar may be much increased yet all is eaten up by increase of charges. Our great losses at sea are the only cause of the present rise in sugar. These scarcities have forced many of the poorer planters to remove to North America, so that we cannot now hire a carpenter or other artificer under five shillings a day, nor overseers under from £50 to £100 a year, which is treble the rate formerly given. The buildings in the plantations are greatly decayed and cannot easily be repaired for want of workmen and timber, there being little left of the Island's growth and very little imported, which raises the price to excess. Since the war we have been at vast expense to preserve the King's island, and have contributed at least an equal share with any other of his dominions. We have entrenched great part of the island with ditches and breastworks, and we have repaired our pits and batteries; we maintain twelve regiments of foot and two of horse, besides a troop of lifeguards; we allow free quarters to Governor Russell's Regiment; we furnished two regiments to assist Sir F. Wheler in his expedition against Martinique, which with cost of transport-ships have cost us over £30,000, besides other assistance and supplies sent to the Leeward Islands. We have set out at our own charge some small ships of war to secure our provision-ships from French pickeroons, which infest our coast and are too nimble for H.M. ships. Had these provision-ships been all intercepted, as many were, we should have starved ere now. The suppression of an intended rebellion of negroes cost us many thousand pounds, and besides all this and the Customs our sugars pay in England, we pay here 4½ *per cent.* to the Crown for all exported produce, from which Jamaica is exempted. From all these calamities it is manifest that this Island is in a most languishing condition, and without your favour with the King and Parliament will be reduced to its first desert and solitude. What we beg is: (1.) That the African trade may be thrown open to all subjects of the King, or managed by a regulated Company, like the Turkey Company, that we may have a sufficient supply of negroes at cheaper rates than have of late been imposed upon us. (2.) That our sugars may be rescued from further tax or burden, or we must abandon our estates, and thus the profitable sugar trade, which has been so long in the power of England, employs near two-thirds of English shipping, and maintains (according to the ingenious Sir Josias Childe) 200,000 men in England, will fall into the hands of foreign nations. (3.) That during this war we may be furnished with convoys for two fleets yearly, out and home, which will preserve the King's Customs and our adventures. If you will appear for us in these three particulars you will render great service to us, and put us to

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everlasting obligation. *Twenty-six signatures.* 3 *pp. Endorsed,* Made about July, 1696. Recd. from the Agents 2 Nov. Read 6 Nov., 1696. *A short abstract is attached.* [*Board of Trade.* Barbados, 7. *No.* 6; *and* (*abstract only*) 44A. *pp.* 29-31.]

Aug. 3. **126.** Journal of Council of Trade and Plantations. The Secretary reported that no incident money could be had for a fortnight. Order for the delivery of the records as soon as the rooms shall be ready. Mr. Randolph attended on the subject of Admiralty Courts in the Colonies, but desired that the Council would first come to a resolution as to a settlement of the Proprietary Colonies, as the businesses depended on each other. Mr. Brenton's proposals read. [*Board of Trade.* Journal, 9. *pp.* 31-33.]

Aug. 3. Canewood. **127.** William Bridges to William Popple. I have no papers relating to the business that you write of except a copy of the Act for the last present to Colonel Russell, which I send herewith. It does somewhat express the sense of the Council and Assembly for his care and good government, but it is more amply done by them in an address to the King sent by the last ships, which perhaps encouraged Mr. Russell to hope for the accommodation that he desires. But if the Council of Trade shall not think fit to recommend permission to him to receive such a present as the country shall make during the war, I beg you, on his behalf, to move for a report on the Lords Justices' reference now before them, that so application may be made for a warrant to receive the present mentioned in the aforesaid Act, such favour having never been denied to any Governor. *Signed,* Wm. Bridges. 1½ *pp. Endorsed,* Recd. and read 5 Aug., 1696. [*Board of Trade.* Bardados, 7. *No.* 7; *and* 44A. *pp.* 2-3.]

Aug. 4. **128.** Minutes of Assembly of Nevis. The address to the Governor in Chief representing the Island's grievances was unanimously passed, in twelve articles. (1) That the Assembly has not met for eight months, so that runaway negroes could not be appraised. (2) That the Council has usurped the Assembly's privileges and obstructs business (*see No.* 115). (3 That John Palmer caused the secession of the Council so as to put a stop to business. (4) That no articles of war can be passed. (5) That good officers are displaced and men made over to privateers. (6) That the Treasurer has given no security and (7) that he cannot be re-appointed, though his time is expired. (8, 9) That neither the Secretary nor Provost Marshal have given security. (10) That Charles Pym was complained of by last Assembly. (11) That the Island suffers from many grievances. (12) That Samuel Gardner is a gentleman of great merit and should be relieved from the restrictions placed on his authority. [*Board of Trade.* Leeward Islands, 64. *pp.* 380-385.]

Aug. 5. **129.** Journal of Council of Trade and Plantations. The Secretary made further report as to the delivery of the records, and as to the incident money for the office. The Secretary was ordered to draw up a representation as to the present to Governor Russell (*see* 10 August), to remind the Navy Board as to the report required

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of them, and to draw up a scheme of enquiries for the Commissioners to be despatched to America on the question of naval stores. [*Board of Trade.* Journal, 9. *pp.* 34-37.]

Aug. 7. Jamaica. **130.** Governor Sir William Beeston to Lords of Trade and Plantations. This goes by the Hampshire, which not being got clear away on the 27th of July now takes charge of the convoy. By the fleet I have received yours of 13 February and 15 April, with the Act therein mentioned and other instructions as to Navigation. I hope you will not be offended when I say that it is apparent to all who know these parts that since they cannot be furnished with necessaries by strangers and are not furnished in any measure proportionally to their wants by their native country, it must discourage these countries and make them sink. For when people cannot live easily they will endeavour to move to places where they can live with more satisfaction; and this is the true case of this Colony now, for there come not from England *necessaries enough to furnish the people's wants, nor ships enough to take away their produce.* Thus though since I have been here I have not only taken all possible care myself, but have commanded and excited the same care among officers of the Customs and others to see that the laws of Trade and Navigation are strictly kept, and though I shall always do so while I am in the King's service, yet people's necessities put them on invention, and in spite of all our diligence they have sometimes landed goods from Curaçoa. It is impossible to help it in this great Island, where there are so many harbours and bays, and so few people to watch them. It is impossible to find officers to observe all these places, so that though I had information of the landing of a parcel of soap from Curaçoa, we could not detect it; and the reason that put the people in that hazard was that soap cost 7*s.* 6*d.* the pound; *and indeed all things are very dear for want of supplies from England, so that people are not able to subsist,* and unless some other measures be taken for the support of the Island, the people will leave it. I hope I shall not see any of the French ships, but if they do come I shall do the utmost of my duty against them. *Signed,* Wm. Beeston. *Postscript.* *The dearness* of all things and the wants the people are under oblige them to assist and countenance all importers. *Postscript.* I have received all the Acts confirmed, except that against engrossing, which here was judged most material, because a few moneyed men buy up wholesale all the provisions as fast as they arrive, and then make the country pay fifty *per cent.* for them, which is a great grievance. The people think it hard too that after all the trouble and expense of calling an Assembly, a law should be rejected on the bare opinion of one or two in England who have nothing to do with it, and say that people in England cannot so well know the reason for making a law as those who make it. *Holograph.* ½ *p.* *Endorsed,* Recd. and read 24 Nov. 1696. Answd. 12 Feb. 1696-7. *A short abstract is attached.* [*Board of Trade.* Jamaica, 8. *No.* 15; *and* 56. *pp.* 46-48.]

Aug. 7. **131.** Journal of Council of Trade and Plantations. A repor as to trade with Sweden was read. The Earl of Bridgewater on

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behalf of the Privy Council asked the Board as to its progress in settling the matter of Admiralty Courts in the Colonies. Mr. Randolph also urged the despatch of the business, and the Secretary was ordered to draw up a representation concurring with that of the Commissioners of Customs, and recommending the appointment of the officers suggested by Mr. Randolph. [*Board of Trade.* Journal, 9. *pp.* 37-43.]

Aug. 7. **132.** Minutes of Council of Barbados. This morning at three o'clock Colonel Francis Russell departed this life. The Council therefore met, and Francis Bond as President assumed the administration of the Government, and both he and the rest of the Council were sworn. Order for the late Governor's closet with his papers, etc., to be sealed up. Order for the Colonels of Militia to raise one company for duty every night and for H.M.S. Newcastle to cruise to windward for fifteen days.

Aug. 8. Order for a Committee of Council to bring the late Governor's papers and plate to the Council Chamber. Resolved that the Assembly called by the late Governor is still an Assembly. Ordered that all petitions be in future determined in the Courts of Justice and not by the Governor and Council. [*Board of Trade.* Barbados, 65. *pp.* 117-121.]

Aug. 10. **133.** Journal of Council of Trade and Plantations. The Secretary reported that he had received a further list of names for officers of the Admiralty Courts in the Colonies from Mr. Randolph, and was ordered to draw up a representation (*see No.* 140). A report from the Navy Board as to naval stores was received. The representation as to Governor Russell's present was signed. [*Board of Trade.* Journal, 9. *pp.* 43-45.]

Aug. 10. **134.** Council of Trade and Plantations to the Lords Justices of England. We recommend that leave be granted to Governor Russell to accept a present of £2,000 from the Assembly of Barbados. We defer any recommendation as to his request to accept all presents thus made to him till we can examine the records of the Plantation office. *Signed,* J. Bridgewater, Will. Trumbull, Cha. Montague, Ph. Meadows, John Pollexfen, John Locke, Abr. Hill. [*Board of Trade.* Barbados, 44A. *p.* 3.]

Aug. 10. **135.** Journal of Governor Fletcher's visit to Albany in August, 1696. On the 31st of July arrived intelligence that the French were on their march against the Five Nations. On the 2nd of August arrived intelligence that the French were in the Indian country, and that the inhabitants of Albany were apprehensive of their marching against that garrison; and at the same time came a letter from the Privy Council advising of preparations made by the French against some part of America. The Governor gave orders for the guns and batteries to be put in order, and about noon took his departure for Albany. On the 7th of August he arrived at Albany, and called a Council of such gentlemen and officers as were on the frontiers. The Governor then made the following speech: As soon as I had certain notice from you that the enemy

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had marched into the country of our Indian friends, and by the number of their forces seemed to threaten this place and Senectady. I made all the haste that I could to your assistance, losing no more time but while I wrote to Connecticut and the Jerseys for such supplies of men as I conceived necessary. Having at the same time received a letter from the Privy Council of French designs against America, I could not reasonably draw forces from New York, nor could I be well spared from it myself. Still by advice of the Council I am come up with part of my own company, and desire your advice for your own safety, and for securing the fidelity of the Indians and renewing the covenant. I propose to send thirty of my own company and twenty of the three companies here into the Indian country to cover the Indians' retreat. *Speech ends.* The Council were of opinion that, the French being retreated, this movement would be an unnecessary expense; and on their advice the Sachems of the Oneidas were sent for and condolence made with them for their losses. The Council further advised that the Councillors present, with the officers and the principal inhabitants, should meet and consult with the chief Indians then in town about the properest method for bringing back the Indians that are fled, and settling them again in their covenant; and should report to the Governor on the matter. This the Governor ordered and approved; and the Council delivered the following report. We have consulted the chief Indians in town as to the best means of bringing back the Oneidas and Onandagas who are fled. We are informed that it is now twelve days since the French retired from the Indian country, that the Senecas and Cayonges are still undisturbed, and that the Onandagas and Oneidas have both burned their castles and fled out of reach of the enemy. Great part of the Oneidas and Onandagas, as also of the Maquas, have come in hither for relief. We cannot see that it would be of any service to send any great body of men now to the Upper Nations, who are seated at a distance from hence, nor can any men be spared from hence, there being only the three established companies, the detachment of your own company, and a few inhabitants in garrison, which we judge to be little enough for the defence of the place. But we think it absolutely necessary that small parties should be frequently sent out to clear the coast from such small troops as may come to annoy the adjacent farms during harvest. As to bringing back the fugitive Indians and resettling them in the covenant, we recommend (i) that trusty Indians be sent to the Senecas and Cayonges in their castles, and to the Onandagas that are fled, to tell them that the Governor, on the first news of the French invasion, came up to Albany to their assistance. (ii) That the Governor on arriving learned that the French had retired from the Indian country. (iii) That it is hardly possible to have a meeting with all the brethren of the Five Nations to consult with them as to the common good and to deliver them the presents which have been sent by the King. (iv) That you therefore appoint the brethren to meet you at Albany on this day two months, or if that be too soon to collect the Onandagas, that the Onandagas shall consult with the Senecas and Cayonges to fix a time, and that the Maquas and Oneidas be acquainted thereof. *Dated*, 8 August, 1696.

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Here follows copy of a commission and instructions to Peter Schuyler, Godfrey Dellius and Dirck Wessells to confer with the Five Nations, according to the recommendations of the Council; the sum of £100 being lodged with them for their expenses. *Dated*, 10 August, 1696. *Copy.* 5½ *pp. Endorsed*, Read April 9, 1698. [*Board of Trade.* New York, 6. *No.* 47.]

Aug. 10. **136.** Minutes of Council of Massachusetts. Order for payment of £6 to Thomas Fitch for repair of the chairs in the Council Chamber. The Act of Parliament for regulation of the Plantation Trade was published.

Aug. 11. Captain Paxton and other prisoners having arrived and reported that the French men-of-war in the Bay of Fundy were of considerable force, and that a body of 600 or more French were at Pemaquid and had taken the fort there, Ordered, that a land force be raised to repel the enemy, that H.M. frigates Arundel and Orford be at once joined by a good ship, to be hired and fitted out, and by the galley and a fireship, and that H.M.S. Sorlings be also desired to join them. The ship Prudent Sarah was accordingly hired for the King's service. [*Board of Trade.* New England, 49. *pp.* 40-41.]

Aug. 10. **137.** Minutes of Council of Barbados. Petition of Jonathan Langley for administration of the late Governor Russell's estate, if no will of his be found.

Aug. 11. A letter to the Council of Trade and Plantations was sent in H.M.S. Jersey by way of the Leeward Islands. [*Board of Trade.* Barbados, 65. *pp.* 122-123.]

Aug. 11. Barbados. **138.** President and Council of Barbados to Council of Trade and Plantations. Governor Russell died on the 7th inst. Immediately on his decease the Council met and assumed the Government, the senior member, Mr. Francis Bond, being President. We issued proclamations to continue all officers in their posts, and then took the necessary oaths. Your letter of 20 April, giving warning of French designs upon these parts, was communicated to us by the late Governor, and we have also advice from Governor Codrington of a proposal made to the French King by Sir Thomas Montgomerie for attacking this Island with 5,000 men. We shall therefore make every preparation for defence (and we hope that the Assembly will assist us), and if we be attacked we hope to make such a defence as will satisfy the King of our loyalty. We are providing a vessel to give you a full account of our proceedings to the time of her departure, but as the Commander of H.M.S. Jersey, who brought Governor Codrington's letters, is anxious to return to the Leeward Islands at once, we send this letter by that way. The fleet that arrived with the Newcastle is loading apace, and will be ready to sail in thirty days, when they shall be despatched all together. *Signed*, Fran. Bond, John Hallett, John Gibbes, Edw. Cranfield, John Farmer, Richard Salter, Geo. Lillington, Geo. Andrews, Jno. Bromley, Wm. Sharpe, Pat. Mein, Tob. Frere. *An abstract is attached.* 1½ *pp. Endorsed*, Recd. and read 30 Oct. 1696. Answd. 23 Nov. 1696. [*Board of Trade.* Barbados, 7, *No.* 8; *and* 44A. *pp.* 17-19.]

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Aug. 11. **139.** Minutes of Council of Virginia. Address of the clergy at their general meeting read, and referred for further consideration. The Governor laid before Council a letter from the Commissioner of Customs, dated 9 January last, with the orders that he had prepared thereupon; on which the Council was of opinion that nothing further could be done. Order for the Attorney General to report as to the ship Resolution, captured by the French but driven by distress to surrender in Virginia, and now taken by Captain Halbart of H.M.S. St. Albans, prize. Order for lodgment in the magazine of the stores of war received from England.

Aug. 12. The Clerk of Council being indisposed, Robert Beverley was sworn and admitted as Clerk extraordinary. The Governor reported that he had acquainted Mr. Blair of his restoration to the Council, who had answered that he had been sick and could not yet venture abroad. The address of the clergy was therefore again deferred to later consideration. A letter from the Privy Council of 20 April was read, giving warning of a French design against America. The Governor reported that he had already ordered the militia to be in readiness, and the Council urged that the King's favour be published to excite the people to vigorous defence. Another letter from the Privy Council was read, relating to an Act passed in Scotland for a Trading Company to Africa and the West Indies, and another from the Commissioners of Customs as to the Plantation Trade, which were ordered to be recorded in the Council-books and observed with all care. Order for publication of the Act of Parliament for regulating the Plantation-trade. The Governor laid before Council the King's order of 1 May, 1695, for charging a part of the Province's debts against the quit-rents. Warrants were ordered accordingly. Order for dissolution of the Assembly and for writs to call a new one on 24 September.

Aug. 13. On the report of the Attorney-General, Mr. Auditor Bird was ordered to take charge of the ship Resolution for the King's interest and service. Order for the Attorney-General to enquire as to the reports that, notwithstanding all restrictions, patents for land have been granted in Pamunkey Neck and south of the Blackwater. [*Board of Trade.* Virginia, 53. *pp.* 33-37.]

Aug. 12. **140.** The Council of Trade to the Lords Justices of England. We forward a representation from the Commissioners of Customs, and in concurrence with them we recommend that Commissioners be appointed to administer the oaths required by the Act for regulating the Plantation Trade to the Governors of the Proprietary Colonies. *Signed,* J. Bridgewater, Ph. Meadows, John Pollexfen, John Locke, Abr. Hill. [*Board of Trade.* Plantations General, 34. *pp.* 26-27.]

Aug. 12. **141.** Journal of Council of Trade and Plantations. The representation of this day's date was signed (*see preceding abstract*). A report as to trade with Norway was read. Mr. Randolph promised to draw up a paper as to the irregularities in trade committed in the Colonies. Further instructions were given as to the representation respecting Admiralty Courts in the Colonies.

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Aug. 13. The representation of this day's date was signed (*see next abstract*). A paper as to the naval stores brought by Sir Henry Ashurst and Sir Stephen Evans was read, and Sir Henry was ordered to attend on Monday next.

Aug. 14. A petition from Samuel Allen was read (*see No.* 145), when he was ordered to bring his patent of Propriety. He said that he had long ago contracted to furnish naval stores, but had sold his right to Mr. Taylor, and that he had never heard complaint of the quality of the timber. He also gave further information as to timber, naval stores and mines in New Hampshire. Sir Henry Ashurst was then called, who also gave information as to timber and naval stores in New England, attributing the present high prices to the war. He gave evidence as to the excellence of the timber, though the Navy Board had condemned it, and added that it was finally ordered for two representatives of the Board and two appointed by himself to go to America and report on the subject. [*Board of Trade.* Journal, 9. *pp.* 45-56.]

Aug. 13. Whitehall. **142.** The Council of Trade to the Lords Justices of England. In compliance with your request, we state our opinion that the erection of Admiralty Courts in the Colonies will conduce to the due execution of the penal laws for the good of the Plantation Trade. *Signed,* J. Bridgewater, Ph. Meadows, John Pollexfen, John Locke, Abr. Hill. [*Board of Trade.* Plantations General, 34. *pp.* 27-28.]

Aug. 13. **143.** Minutes of Council of Massachusetts. Order for refunding £100 to Eliakim Hutchinson, advanced by him towards subsisting the land-forces. Advised that Captain Emes of H.M.S. Sorlings, having orders from the Admiralty to convoy the mast-ships to England, receive positive orders to join the present expedition by sea. [*Board of Trade.* New England, 49. *p.* 42.]

Aug. 13. **144.** Minutes of Council of Barbados. The opinion of the law-officers was desired as to the legality of Mr. Mein's being of the Council, he being a Scotchman, under the new Act for regulation of the Plantation Trade. Orders as to letters and vessels arriving at the Island. The Assembly was informed that they were still an Assembly, and letters from Whitehall concerning the preparations of the French were communicated to them. The Council recommended to them to raise a fund for the purchase of arms and repair of the forts, and to take measures for the interment of the late Governor, whose body was laid in a leaden coffin and laid in a vault by his wife's on the night after his death. Resolved to send an address of congratulation to the King and to despatch an advice-boat to England. Bill for speedy supply of arms sent to the Assembly.

Aug. 14. The law-officers gave their opinion that Mr. Mein, though a Scotchman, may sit in the Council. Order for holding a Court of Chancery and for hearing of causes therein. Order for the President to execute the office of Ordinary until further notice. Order for appraisal of a French prize. The Assembly attended and brought up proposals that orders should be given as to the service of retired field-officers in the Life-Guard, to call all hired servants

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to their homes, for the publication of the new Act as to white servants, for money not to be accepted from ships in lieu of powder-dues, for the late Governor's guard at Fontabelle to be transferred to Hole Fort, and for the public gauger of the ships to perform his duty strictly. In reply to the Council's proposals the Assembly delivered a paper as follows: (1) Part of the money from the four shillings per poll bill is appropriated to defence. (2) We propose the appointment of Commissioners for purchase of arms, etc., also (3) that Commissioners inspect a direct repair of the forts, that every foot-company meet for exercise every Wednesday and Saturday, and that arms and ammunition be lodged near the alarm-posts. (4) The question of the Governor's funeral is referred to a Committee. (5) An address should be drawn by the Committee of Correspondence. (6) All ships that are ready within so short a time should be allowed to sail; gunsmiths should be restrained from all other work but the repair of defective arms; the proclamation for encouragement of the soldiers should be published, and vacancies of officers in the militia should be filled as speedily as possible. [*Board of Trade.* Barbados, 65. *pp.* 123-127.]

Aug. 14. **145.** Petition of Samuel Allen to Lords of Trade and Plantations. Thomas Davis desires to quit the post of Secretary of New Hampshire. I beg for the appointment of Charles Story in his place. ½ *p.* *Endorsed,* Aug. 14, 1696. [*Board of Trade.* New England, 8. *No.* 18.]

Aug. 15. Boston. **146.** Extract of a letter from Boston. Last Monday two Frenchmen arrived with a flag of truce and prisoners for exchange, namely Captain Paxton, Mr. Chub, captain of the Pemaquid Fort, and others. They gave an account that on the 6th inst. there appeared before Pemaquid the two French ships that took Captain Paxton, 600 Indians, and 100 French with bombs, mortars, field-pieces and other implements of war. They shot three bombs but did no execution. They raised a battery and summoned them several times to surrender, saying that they were Christians and did not desire Christian blood but that if the garrison did not surrender it would get no quarter, as they could not prevent the heathen from entering and destroying them all. The French, with a flag of truce, desired the captain of the fort to send some of his men to view the force against him, and when the English saw the preparations they thought it vain to stand out. So they surrendered the fort to the French, on condition that they could have what they carried out on their backs. Last Wednesday Saco Fort was besieged, and it is believed the Indians have dispersed themselves into several parties.

Extract of a letter from Salem. Colonel Gidney marched with 500 men towards Piscataqua to attack the enemy. A sloop arriving to-day at Marblehead reported that about six weeks ago they were at Petit Guavos when there arrived seven capital ships of war, of from sixty to seventy guns. Sixteen more were expected, the forerunners of which came in on the day of their sailing. Seven ships of war and seven privateers went to bombard St. Domingo, but were beaten off. The French ships of war and privateers

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are reported to number thirty sail. Their design is unknown. *Note.* "What follows was sent to the Board by Mr. Secretary Trumbull, in addition to the foregoing." Next Monday it is thought that our fleet sails to meet the two French men-of-war, and Captain Paxton's ship, which they have refitted. Our fleet consists of three men-of-war from England, Captain Gillam of Boston, a fireship and one galley. This morning Captain Morris came to town, who was in the sloop from Petit Guavos. He confirmed the news from thence, and stated the French ships at twenty-two of from sixty to ninety guns. It was given out that they had a design on Jamaica, and would be able to land eight or ten thousand men. 2½ *pp. Endorsed,* Recd. and read 20 Nov. 1696. [*Board of Trade.* New England, 8. *No.* 19; *and* (*in part*) 36. *p.* 52.]

Aug. 17. **147.** Journal of Council of Trade and Plantations. An invoice sent by Sir Henry Ashurst, and a paper from Mr. Randolph (*see two following abstracts*) were received. [*Board of Trade.* Journal, 9. *pp.* 56-57.]

[Aug. 17.] **148.** Invoice of the first cost of Naval stores imported by Sir Henry Ashurst. *Total cost,* £697 16*s.* 10*d.* ½ *p. Endorsed,* Aug. 17, 1696. [*Board of Trade.* New England, 8. *No.* 20.]

[Aug. 17.] **149.** An account of several things whereby illegal trade is encouraged in Virginia, Maryland and Pennsylvania, with methods for preventing the same, submitted to the Commissioners of Customs by Edward Randolph. (1) The ignorance, remissness or connivance of Collectors permits masters of vessels and others to import goods and load tobacco under forged certificates. Some are traders who hold offices of trust and profit under the Government. (2) The Naval officers accept persons of little or no estate as security for masters of vessels who sail direct to Scotland, yet when these produce forged certificates the forfeited bonds are discharged. (3) There is a general partiality of Courts and juries in all causes relating to the Crown, of which some, as in Virginia and Pennsylvania, are not legally qualified. (4) There is no penalty by law upon Fob-masters, nor upon masters who produce forged certificates and cockets, nor upon the persons who forge them. (5) The people on the Eastern shore of Virginia, Maryland and Delaware River, Scotsmen and others, have great stocks lying by them to purchase tobacco, and prepare a loading ready to be put aboard any vessel. The master assists to get the goods ashore before the vessel is entered, which are disposed of among the goods ashore. The vessel lying in some obscure creek forty or fifty miles from the Collector's office is presently loaded, and sails away undisturbed. (6) Collectors permit vessels, entered outwards to other places than the plantations, to trade in the plantations, without certificates that they have given security. (7) Collectors allow Scotchmen coming by way of Berwick or Whitehaven to the plantations, to land with a considerable quantity of goods, which they dispose of in a peddling manner by running small boats from creek to creek. (8) Masters are not prosecuted on forfeiture of their plantation-bonds, nor vessels upon breach of the Acts of Trade, unless they come to the plantation where the offence was committed. (9) Fob-masters

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not worth five pounds apiece are permitted to trade if they produce no more than a cocket from England. (10) Collectors never board vessels on their first arrival to ascertain their qualifications. (11) They suffer vessels carrying provisions in cask to load in any river, no matter how distant from the office, whereby great quantities of tobacco are put up in cask or carried to the plantations. (12) Governors permit privateers of all nations to be masters and owners of vessels.

To prevent these evils I propose (1) That three or four active Custom-house officers be sent, with salaries, to the districts where illegal traders chiefly resort. (2) That no enumerated commodities be exported from the plantations till bond be first given and certificate produced, and Governors should be subjected to the penalty of £1,000 and forfeiture if they take insufficient security. (3) Courts of Exchequer should be established with Judges and Attorney-Generals appointed by the Crown; appeal to lie to the Governor in Council, and from thence to the King in Council. (4) Fob-masters and those producing forged certificates should be liable to twelve months' imprisonment and forfeiture of the ship and cargo, and forgers to imprisonment for life. (5) Landing of goods before entry made should be punished by a fine of £200, and persons assisting to land should be punishable by fine and forfeiture of boats, etc. (6) Ships from England to the Colonies should bring a printed certificate that bond has been given, or otherwise shall not be permitted to load. (7) Scotsmen coming from Whitehaven with goods should be accounted aliens according to the Act of 12 Car. II. (8) All masters of vessels should be strictly prosecuted upon forfeiture of their bonds. No fraudulent sale of a vessel for breach of the Acts should bar prosecution. Masters and vessels guilty of breach of the Acts should be proceeded against upon the copies of their bonds given in 1693 and 1694. (9) No English or Irish subject should sail master or mate on a Scotch ship, on pain of forfeiture of the ship and cargo. (10) Collectors and their deputies should board any vessel suspected to be unqualified, and the master if convicted should forfeit £500. (11) Ships carrying tobacco or provisions to other Colonies should be allowed to unload and load in two ports only in each of the Colonies of Maryland, Virginia and Pennsylvania. (12) No privateer should be admitted to any liberties or privileges in the Colonies until he has given at least £1,000 security. 6 *pp.* *Endorsed,* Presented to the Commissioners of Customs, 16 October, 1695. Delivered to me [William Popple] 17 Aug., 1696. *Annexed,*

149. 1. A paper submitted to the Commissioners of Customs by Edward Randolph. 17 Aug., 1696. The object of this paper is to show that the Acts of Parliament made for encouraging and securing the trade to and from the Plantations to England have not been observed nor executed in the Proprietary Colonies, but that on the contrary all encouragement is there given to illegal trade. The chief end of granting these vast tracts of land to proprietors was doubtless to encourage the first undertakers to plant and improve them for the benefit of the Crown and to be subject to English laws and

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dependent on England. Great numbers of people are now seated in some of the proprieties, but have been long endeavouring to break loose and set up for themselves, having no sort of regard for the Acts of Trade and Navigation and discountenancing appeals to the King in Council. The persons generally appointed by the proprietors to be Governors are men of very indifferent qualifications, parts and estates. Their maintenance is inconsiderable, which renders their Government precarious. They have power only (like civil magistrates in petty corporations in England) to make municipal laws with the consent of the people for their quiet and peaceable government. They are indeed only stewards and overseers, always liable to be turned out at the pleasure of their employers. The following is a report as to the present Governors of the proprietary Colonies in respect of the Acts of Trade.

Bahama Islands.—Mr. Nicholas Trott is Governor. The Islands have long been and are still a common retreat for pirates and illegal traders. Cadwallader Jones, the late Governor, made one Boulton Collector, who entered and cleared vessels as he and the Governor pleased. In 1693 the master of a Barbados ship, richly laden from Jamaica to London, ran his ship wilfully aground in the Islands, and he and his sailors divided the money and cargo. The Governor had his advantage from it. All appeals from their Courts lie to the Proprietors in England.

Carolina.—Mr. John Archdale, a Quaker, is deputed Governor, during his son's minority, who is one of the proprietors. Charlestown is free for trade to all from all places. They trade to Curaçoa, from which Holland manufactures are brought to Carolina and carried by illegal traders to Boston, Pennsylvania etc., the return trade in plantation commodities being passed through the same channels. About three years ago seventy pirates, who ran away with a vessel from Jamaica, came to Charleston with a vast quantity of gold from the Red Sea. They were entertained, and had liberty to stay or go to any other place. The vessel was seized by the Governor for the Proprietors as a wreck and sold without regard to the Acts of Trade. The present Governor favours illegal trade, having given his permit to the master of a foreign vessel to trade, taking no notice of the Collector appointed by you. Here also appeals from the province lie to the Proprietors in England.

North Carolina has sixty or seventy scattered families, but under no regular Government. One Jarvis was appointed Governor by Colonel Ludwell, without salary. The inlet of Currahtuck lies conveniently to ship off the tobacco grown in these parts to New England, etc. Roanoke Inlet lies more southerly and open to the West India trade and ready to harbour pirates.

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Pennsylvania.—William Markham, a very infirm man, is Governor. Samuel Carpenter and John Goodson, both Quakers, are appointed to be his assistants, but refused to act. Nine vessels have gone from thence to Scotland direct, and the Custom-house has advice of the arrival of another. Several known pirates are allowed to live and trade there, trading chiefly with Curaçoa, to the great damage of honest traders. The inhabitants have lately made a stock of £20,000, to be managed in a joint trade. The Governor refused to grant me a special Court at Philadelphia for trial of a ship which I seized, but ordered the trial to be held at Chester, where I was cast, imprisoned, and had £46 damages given against me. Patrick Robinson, a Scotchman, is secretary and a fast friend to his countrymen. It is a great outlet to Maryland, from whence tobacco is brought overland to Scotland. There is a fort of seven guns at Newcastle, of which a trading Scotchman (being Major) has command.

East and West Jersey.—Andrew Hamilton, a Scotchman, is Governor. There are several Scotchmen at Amboy. Mr. Brooke, Collector of New York, seized a vessel there for illegal trading to Scotland.

Connecticut.—Robert Treat is Governor. The people are mostly husbandmen, and carry their provisions to Boston and New York, but they are quite ready to carry prohibited goods to either place, as was lately done, the Governor taking little notice of it.

Rhode Island.—Caleb Carr, an illiterate person, was lately Governor. It is now a free port for pirates. Thomas Tew, a pirate, brought £100,000 there from the Red Sea in 1694. The place should be put under a regular Government.

New Hampshire.—Mr. Samuel Allen is Proprietor, and William Partridge, a man of good estate, is Lieutenant-Governor. The trade is chiefly lumber and fish. It is the only place from which great masts are brought to England.

From this it cannot be imagined that the Proprietors' Agents are fit people to execute the powers, in respect of the Acts of Trade, which are vested in the Governors. The Proprietors' Governors should be approved by the King and otherwise qualified as the late Act, to regulate the Plantation trade, directs. This will be no invasion of the Proprietors' rights. Lord Baltimore and Mr. Allen have their Agents in Maryland and New Hampshire, but the Governors are appointed by the King. *Signed*, Ed. Randolph. 2½ *pp.*

149. II. Record of the trial of the sloop Dolphin for illegal trading, at Newcastle, on 21 June, 1694. Verdict for defendant with damages. 2½ *pp.*

149. III. Copy of Record of a Court held in Kent County, Pennsylvania, on 17 March, 1693, for trial of the sloop Dolphin. Verdict for defendant. 2 *pp.*

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149. iv. Copies of William Markham's Commission for trial of the ship Dolphin at Chester, Pennsylvania, dated 20 April, 1695; and of the petition of the master of the Dolphin for the trial of the ship. 2 *pp.*

149. v. Copy of the Record of Edward Randolph's libel against the ship Dolphin. 16 April, 1695. 2¼ *pp.*

149. vi. Copies of William Markham's Commission for trial of the ship Dolphin, 23 April, 1695, and of a deposition against the ship, 20 April, 1695. 1½ *pp.*

149. vii. Copy of the record of the trial of the ship Dolphin on 30 April, 1695. Verdict for defendant, with damages and costs. Randolph's request to appeal was granted, but the ship was ordered to be discharged meanwhile. 2½ *pp.*

149. viii. Copy of a warrant for the arrest of Edward Randolph in Pennsylvania to answer a complaint of the master of the Dolphin. 2 May, 1695. ½ *p.*

149. ix. Copy of the suit brought by the master of the Dolphin against Edward Randolph for £44 damages. 1¼ *pp.*

149. x. Names of fifteen Red Sea pirates, who came to Pennsylvania from South Carolina in 1692, also of six merchants who trade thence illegally with Scotland. 1 *p.*

149. xi. Information from Edinburgh, 6 July and 2 August, 1696, of the arrival of ships from Pennsylvania in Scotland. ½ *p.*

149. xii. Copy of the Order of Queen Mary in Council of 9 August, 1694, for vessels to be hired to cruise off Maryland and Pennsylvania to check illegal trading. 1 *p.* [*Board of Trade.* Plantations General, 4. *Nos.* 6, 6 i.-xii.]

Aug. 17. **150.** Minutes of Council of Massachusetts. The sailing orders for the cruise of the naval expedition were read and approved by the Council. [*Board of Trade.* New England, 49. *p.* 42.]

Aug. 17. **151.** Minutes of Council of Barbados. The Assembly's proposals were considered. (*See No.* 144.) (1) Requires no answer. (2) Order for Colonel Salter and Major Lillington to be joined with three members of the Assembly for inspection of the magazine and report on the stores therein. James Hannay produced his patent as Provost Marshal, which was allowed. A joint Committee appointed to consider the Governor's funeral. The Assembly brought up an Address to the King for arms, a bill for a speedy supply of arms, and a bill for election of a vestry in St. Thomas. They then offered memorials as to the African Company, as to postponement of the Governor's funeral, as to a joint representation against the appointment of Sir Willoughby Chamberlayne to be Governor, and as to a meeting of the Commissioners for the fortifications.

Aug. 18. A conference held on the bill for speedy supply of arms. Bill for election of a vestry for St. Thomas passed. Colonel Salter and Major Lillington brought in their report as to the stores in the

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magazine. A Committee to correspond with the Agents in England was appointed. Bills as to the militia and as to repair of the forts received from the Assembly, also proposals that but one gun be fired in future to answer salutes, that the French prisoners be sent home, that the Acts passed this session be forthwith published, and that a despatch-boat sail forthwith with an express to the King.

Aug. 19. James Hannay sworn as Provost Marshal; Mr. Terrill sworn of the Council. Bills for repair of trenches, to supplement the Militia Act, and to prevent frauds in the powder-duty passed. Bill for supply of arms amended and returned. Jonathan Langley appointed Administrator of the late Governor's estate on giving security for £20,000. [*Board of Trade.* Barbados, 65. *pp.* 127-132.]

Aug. 18. **152.** An account of stores of war in the magazine at Barbados and of expenditure of powder and arms from the same. [*Board of Trade.* Barbados, 44A. *pp.* 72-73.]

Aug. 19. **153.** Minutes of Council of Jamaica. Orders for sundry payments. Agreed that £150, being part of the King's bounty of £4,000 granted to the distressed inhabitants of Jamaica, be distributed among the poor of St. George's and St. Mary's parishes. The Committee brought up their report on Usher Tyrrell's petition, which was approved and ordered to be sent home. Richard Dawkins sworn of the Council. Resolved that the Assembly be dissolved. Order for the Acts approved by the King to be printed. Order for enlargement of the gaol at St. Jago de la Vega. [*Board of Trade.* Jamaica, 79. *pp.* 15-16.]

Aug. 19. **154.** Journal of Council of Trade and Plantations. Evidence as to trade with Holland was heard. Mr. Randolph brought Mr. Chilton to confirm his statements in his paper of 17 August, and gave in the records of two trials in which he had been unjustly cast in Pennsylvania. Mr. Chilton confirmed former information as to the sitting of Councillors of Virginia and elsewhere as judges, without taking any special oath. Mr. Heathcote and Mr. Gracedieu were ordered to attend next meeting. [*Board of Trade.* Journal, 9. *pp.* 57-62.]

Aug. 20. **155.** Commission to Thomas Gower to be Secretary of the Bahama Islands. *Signed*, Craven, Bath (for himself and for Lord Carteret), Wm. Thornburgh for Sir John Colleton. [*Board of Trade.* Carolina, 4. *p.* 33.]

Aug. 20. Whitehall. **156.** Order of the Lords Justices of England in Council. For the payment to Governor Russell of the present granted to him by the Assembly of Barbados. *Copy.* ½ *p. Endorsed*, Recd. and read 9 June, 1697. [*Board of Trade.* Barbados, 7. *No.* 9; *and* 44A. *p.* 61.]

Aug. 20. Whitehall. **157.** Order of the Lords Justices of England in Council. Referring a report from the Council of Trade, together with a memorial of the New York Agents, back to the Council of Trade for report. *Signed*, Wm. Bridgeman. ½ *p. Annexed*,

157. I. Council of Trade to the Lords Justices, 7 July, 1696. We enclose a paper on the American Colonies which we have received from Lord Shrewsbury, thinking that the

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matters referred to therein are of such importance as to demand speedier action than the yet unsettled state of our office enables us to deliberate on and represent. *Signed*, J. Bridgewater, Will. Trumbull, Cha. Montague, Ph. Meadows, John Locke, Abr. Hill. ½ *p.*

157. II. Copy of a memorial delivered by Charles Pilsworth to William Blathwayt at the Hague, $\frac{0}{10}$ May, 1696. About the middle of March, 1695-6, I was greatly conversant with Sir Thomas Laurence, and, as he had been appointed Secretary of Maryland, I acquainted him with a design, which I had received from a friend of mine, of the French against the English Colonies in America. At Sir Thomas Laurence's request my friend came to him and told him that if I would go to Amsterdam I should be directed to those who would confirm his account. Through Sir John Lowther I was introduced to Lord Portland, from whom, as well as from other officers, I received the necessary papers and passes. I left England on the 22nd of April, arrived at Helvoetsluys on the 24th and at Amsterdam on the $\frac{25 \text{ April}}{5 \text{ May}}$. Next day I waited on Burgomaster Wilsen, presented my letter from Lord Portland, and after he had consulted the other Burgomasters he at my request sent for Mr. Lovinus van Schaick, who promised to meet me on the 1st of May, and on that day gave me the following information. The value of the Alliance of the Five Nations of Indians to the English is well known. The French having suffered much in a war with them thirty years ago, have ever since courted their favour and have contrived secretly to undermine and extirpate them. To this end they have sent Jesuit missionaries among them, who by subtle insinuations have tried to draw them away from their own country into Canada, pretending that they could be better instructed in the Christian religion, and have so far prevailed as to have drawn away a considerable number, who are settled near Montreal. These have done eminent service to the French in the present war; indeed without them and other Indians of the Five Nations the French could not have preserved Canada. With their help the French have destroyed Senectady and several plantations near Albany, and terrified several of the Dutch and English into deserting their habitations. The rest of the Five Nations have fought the French for ten years, the French wishing to extirpate them as they would not join them and trade to Canada. The French King in a treaty with the late King James very subtly obtained an article, that if English or French were at war with Indians, the other party should not encourage or supply ammunition to the Indians. Immediately after this treaty the French came down in great force upon the Senecas, the strongest of the Five Nations, who laid an ambuscade for the French, but after

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some hours' fighting were obliged to retreat before the French, who burned their towns and plundered all they could. This began the war, and the French doubted not soon to dictate their own terms to them. But those Indians soon after invaded Canada in revenge, killed many of the French and took many prisoners. The French Governor has spared no pains to allure them to his side, and asked them to meet him at Cadaraqui; but the English dissuaded them and promised them refuge in New York, if defeated by the French, engaging also to try to take Canada from the French, which has not yet been undertaken. The Indians have lost much by the war and are inclined to peace with the French, which would be fatal to the English Colonies; for if the few Indians at Montreal are so formidable, much more will be the whole of the Five Nations. The French offer large presents to gain the Indians, by the insinuation of Pierre Milet, a Jesuit, who is a perfect master of their languages and customs. The Indians though often urged to send this man away, refuse to do so. Mr. Van Schaick is informed that the French have a present design to destroy the English settlements in America, having sent ships with presents for the Indians to the West Indies. He obtained his information from a letter from a pirate of note to a gentleman of quality. It is absolutely necessary to hold the Five Nations firm to their alliance by presents. £800 or £1,000 would purchase sufficient presents for the purpose. Peter Schuyler, Dirck Wessels and Godefridus Dellius are the persons best fitted to treat with them, being much beloved. Ammunition and clothing are the best presents for Indians; but the capture of Canada would gain them for ever.

Information was given me from another source that Mons. Renaut sailed for the West Indians with five ships on the 4th of May. Another fleet of merchantmen and men-of-war will join them shortly. There is no doubt that the English frontier towards Canada is in great danger. 14½ *pp.*

157. III. Memorial of the Agents for New York to the Lords Justices of England. We were sent by the Governor, Council and Assembly of New York in November last, with an address of thanks and loyalty to the King, and with instructions to lay before you the state of that province. In January, when off Scilly, we were captured by a French privateer and remained prisoners until April, and before the ship surrendered we sank all our official papers. We were instructed to represent that the French in Canada have resettled Cadaraqui, from which they were driven by the Indians at the beginning of the war; that the Indians have since been much colder to the English, and it is feared that they may not only make peace with the French but war with the

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English; that the Governor of New York has been unable, with the forces at his disposal, to hinder the settlement of Cadaraqui, the place being five hundred miles away, and the way through thick woods and great lakes without a road and with no means of obtaining provisions for white men in any number; that if the Five Nations are gained by the French the whole of the English settlements will be liable to destruction; that New York by means of presents (to her great impoverishment) has with great difficulty kept the Indians faithful, so far; that the province, of three thousand families, has since 1690 raised over £30,000 for the expenses of the war, whereas the other Colonies, which are equally concerned, have contributed no more than £3,000; that in spite of this the expense of the war has been so great that the province is heavily in debt; that the Indians are inclined to the French side from observing the great recruits of men, arms and stores sent to Canada annually from France; that therefore we beg you to intercede with the King to prevent the evils that may ensue if the Five Nations confederate with the French. *Signed*, Chid. Brooke, W. Nicoll. 1 *p.*

The whole endorsed. Read 24 Aug. 1696. [*Board of Trade.* New York, 6. *Nos.* 48, 48 I.-III.; *and* (*without enclosures* I., II.) 52. *pp.* 1-4.]

Aug. 21. **158.** Journal of Council of Trade and Plantations. Mr. Gracedieu attended and gave information as to the Admiralty Court and other Courts of Jamaica, pointing out that the offices of Provost Marshal, Secretary and Receiver General were all Patent places. He gave other information as to the Island in general, and promised to put suggestions for the advantage of the Island on paper.

The records of the Plantation Office were received.

Two letters from Governor Codrington, of 12 February and 5 May read. Order for copy of the latter to be sent to the Duke of Shrewsbury, and for the Agents of the Leeward Islands to attend next meeting.

Mr. Randolph delivered a paper as to Attorneys General in the Colonies, which was referred back to him for further details as to the persons whom he proposes to displace. [*Board of Trade.* Journal, 9. *pp.* 62-66.]

Aug. 21. New York. **159.** Governor Fletcher to Lords of Trade and Plantations. On the 2nd inst. I had intelligence that the Governor of Canada with a thousand French and two thousand Indians was in our Indian country, and that the people of Albany were in some consternation lest the Five Nations should join them and fall upon Albany and Senectady. He surprised one Castle at Oneida which he burned, and he destroyed the Indian corn. The Onandagas sent away their old men, women and children to southward. The young men tarried till they perceived that the French were too numerous for them, burned their fort and retreated, leaving their corn to be destroyed. It is reported by some escaped prisoners that an Indian brought tidings to Count Frontenac that I was on

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march from Albany with an army as numerous as the trees of the woods, which hastened his retreat. The Cayonges and Senecas are not hurt. I wrote to Connecticut for their quota and to the Governor of the Jerseys for men to meet me at Albany, but all my endeavours could not obtain one man from them. The Council have resolved to supply the Oneidas and Onandagas with corn this year, which will add to the expenses of the province. I have sent herewith a copy of my proceedings at Albany on this occasion. I have delayed giving them the King's present till I can get them all together, and having received advice from the Privy Council of a French design upon some part of America I hastened to New York, for in a month or six weeks' time the winds are esteemed a defence to this coast. Three of the Lieutenants of the King's Companies have often troubled me with papers, desiring to be discharged, and at last have resigned their commands. On the day of their resignation I granted provisional commissions to Lieutenant Abraham Bickford instead of Matthew Shanke of Ingoldsby's Company, to Lieutenant Simon Young instead of George Sydenham of Weems's Company, and to Lieutenant Charles Oliver instead of Roger Wright of Hide's Company. They had all served as Cadets with the English troops in the Irish war, two of them have been lieutenants in the country-forces and behaved themselves well against the French and Indians in February, 1692. The frequent alarms we have from the French put us to great charge and expense of ammunition, besides the supplying of the Indians and of the forts of Albany and Senectady. I beg for an annual supply and for punctual payment of the subsistence of the Companies, which are all the force that I can depend on for the safety of the province. I have transmitted herewith my answer to the depositions taken against me. *Signed*, Ben. Fletcher. 3 *pp. Endorsed*, Recd. 30 Nov. 1696. Read 7 Dec. Answd. 1 Feb. 1696-7. [*Board of Trade.* New York, 6. *No.* 49; *and* 52. *pp.* 46, 47.]

Aug. 22. **160.** Governor Fletcher to Lords of Trade and Plantations. *Recounts briefly the story of the French raid as in preceding letter and ends as follows.* On my return to New York I found the people very forward in the reparation of their breastworks and platforms, having furnished the guns with new wheels and carriages where wanting. *Signed*, Ben Fletcher. 1½ *pp. Endorsed*, Recd. 12 Dec. Read 14 Dec. 1696. Answd. 1 Feb. 1696-7. [*Board of Trade.* New York, 6. *No.* 50; *and* 52. *pp.* 52-53.]

[Aug. 22.] **161.** Answer of Governor Fletcher to the depositions taken against him in the late Committee of Trade and Plantations on 28 August and 14 September, 1695. First in relation to Philip French's depositions; as to the report that I threatened to pistol any man that should choose Delanoy for the Assembly, I can bring 500 witnesses to aver that they never heard of such a report until it came from England. The value of Philip French's statements of like nature may therefore be left to your consideration. As to the presence of seamen and soldiers with clubs at the election, I answer that I myself stirred not abroad that day. It is indifferent to me who are Assemblymen. I hope only that they may be honest men with care for the safety of the frontiers and the welfare of the

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province. The very depositions do not affirm that the soldiers voted. I can assure you that I allowed not one to go off guard, though several of the soldiers were freemen. It is hard to hold an officer responsible for the walks of his men when off duty. I know nothing about what the witness calls Leisler's party, and as to impressing in the election field there has been no press for the land-service since I came here. As to alleged great heats in the Assembly about the public accounts, the minutes of Council and Assembly, which have been already transmitted, will show that I have never received a penny of public money, nor issued a warrant for payment without advice and consent of the Council. I beg that Mr. Brooke and Mr. Nicoll may be examined as to their depositions. As to Major Howell's detachment at Albany, he was ordered there because it was his turn, and he received pay as major and captain. As to the allegation that all the goldsmiths were employed in making presents for me, it had been more to the purpose if the deponent had proved that the plate had been presented to me; but I acknowledge that I have received two snuff-boxes from gentlemen whom I have obliged. The last part of Mr. French's deposition is all hearsay, but I acknowledge that at my coming here I found one Mr. Simms, lieutenant in Major Ingoldsby's company, and that I sent him to England to procure recruits. As to his being master of a ship I can say nothing, but I own no ship nor share in a ship. Next as to the deposition of William Kid, most of which is answered in my reply to that of Philip French. As to the making of freemen, I am of opinion that you will not hold me responsible for the action of the Mayor and Sheriffs at elections, though I have never heard it complained of. I have never named anyone to the Assembly, having nothing to ask or desire of them except the protection of the frontiers. Samuel Bradley's evidence I have already sufficiently answered. As to John Aldbrough's evidence I beg you to examine Mr. Brooke and Mr. Nicoll, who will refute also the statements of Joseph Davies. Giles Shelley's evidence is already sufficiently answered. The rest of the depositions are mere hearsay, and I beg that Mr. Brooke and Mr. Nicoll may be heard upon them. *Signed*, Ben. Fletcher. 3¼ *pp. Endorsed.* Recd. 30 Nov. Read 24 Dec. 1696. [*Board of Trade.* New York, 6. *No.* 51.]

Aug. 22. New York. **162.** Governor Fletcher to William Blathwayt. I have sent by this opportunity a copy of my proceedings at Albany, being called thither on the 2nd by an express with intelligence that Count Frontenac with a thousand French and two thousand Indians was overrunning the Country of the Five Nations. He was gone before I reached Albany, and it happened well that our Indians fled. It is believed that had they tarried to have discoursed him, being at the head of so great a force, he had got his desire in having them make peace with Canada. The copies of our Minutes of Council and laws are ready and await trustworthy carriage. I have sent an answer to certain depositions taken against me. Mr. Livingston is arrived and has presented to me a letter from the Duke of Shrewsbury. He shall have right done to him in all his just pretensions. The Council, and in particular Colonel Van Cortlandt, were much

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surprised at his whole proceedings, and have begged leave to send to Mr. Brooke and Mr. Nicoll a true answer to his case, which they conceive to be much for the King's service and the ease of the province. Three of the subalterns, Lieutenants Shanke, Wright, and Sydenham have resigned. If they are clamorous I hope that they will not have as easy credit as Mr. Livingston had. I have appointed Lieutenants Bickford, Young, and Oliver in their places. *The remainder of the letter is a repetition of that to the Lords of Trade of same date, as to the qualifications of these officers and the need for supplies.* 2 *pp. Endorsed,* Recd., Read 30 Nov. 1696. Answd. 1 Feb. 1696-7. [*Board of Trade.* New York, 6. *No.* 52; *and* 52. *pp.* 42-43.]

Aug. 24. Jamaica. **163.** Governor Sir William Beeston to the Duke of Shrewsbury. Yesterday the fleet sailed under convoy of the Hampshire, intending to go by the Windward Passage; and in the evening came an express from Cuba that the French were cruising off Havana with twenty sail, several of them great ships. I at once sent a sloop after the fleet, to the intent that they should not go by way of the Gulf, though it seems to me unreasonable to think that the French can cruise for three months or more on a coast where they have no port or place to recruit in, so I think they must be gone away through the Gulf before now, though until we are certain it is not safe to venture that way, nor is it easy for laden ships to gain the other passage, for they must beat to windward of Cuba. Some time since a ship arrived with packets for the Spanish Governors and officers from Cadiz. For the sake of the Spanish Government I forwarded them at once by a hired sloop, writing to the Governor of Porto Bello and asking him to pay for the same, the cost being 300 pieces of eight. But no sooner had he read the letters than he bade the sloop begone instantly, and would hardly suffer her to take in a little wood and water; and he wrote to me that most of the letters were intended for the galleons, and that he doubted not that the Admiral would pay the expenses, but that he would not keep the sloop till his messenger for them should return, lest she should lie at charge, so for my respect to them I must pay it myself. This will shew you how they use us on all occasions, notwithstanding the friendship between the two crowns. To this day if they meet any vessel of ours that they can overpower, they never stick to do it. They have lately cut off all the Bay of Campeachy, and carried the men who were not killed to New Spain, from which there is little hope that they will ever return. *Signed,* Wm. Beeston. *Holograph.* 1½ *pp.* [*America and West Indies.* 540. *No.* 49.]

Aug. 24. **164.** Journal of Council of Trade and Plantations. The Agents for the Leeward Islands attended and gave an account of their constitution, administration, etc., when they were desired to put in writing anything that they could propose for advantage of the Islands.

Order for Colonel Hartwell to attend and give a further account of Virginia.

A memorial for the Agents of New York was read (*see No.* 157, III.), when they were ordered to attend next meeting. [*Board of Trade.* Journal, 9. *pp.* 66-69.]

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Aug. 25. **165.** Memorial of Edward Randolph to the Council of Trade. I have already laid before you my proposals for better enforcement of the Acts of Trade and Navigation and my recommendation of officers for the Admiralty Courts, and of Attorneys-General in place of those who are ignorant of the law and abettors of illegal trade. I now offer the following remarks as to those officers:— *Bermuda.* Nicholas Trott, jun., is the present Attorney-General, and (as I am informed) is fit to be continued. *South Carolina.* Jonathan Armory is the present Attorney-General, and also (as I am informed) fit to be continued. *North Carolina* has no Attorney-General. *Bahamas.* I hear that John Graves is fit to be continued as Attorney-General. *Virginia.* Edward Chilton was appointed by Lieutenant-Governor Nicholson to be Attorney-General in 1690, but on his obtaining leave to go to England was replaced by William Randolph, who knows nothing of the law. Mr. Chilton is a barrister and approved of by many eminent lawyers. *Maryland.* George Plater was appointed Attorney-General by Governor Copley, the lawyers who knew anything of the laws of England in the province being papists. About 1693 there was a combination of New England men, Scotchmen, and others to carry on illegal trade from Maryland directly with Scotland. It was not unknown to Governor Copley and to Nehemiah Blakiston, late a Collector, and was promoted by George Plater, also a Collector. In 1694 he cleared eight vessels which carried tobacco direct to Scotland. As Attorney-General he connived at the partial prosecution of a forfeited bond, and has refused to prosecute others. *Pennsylvania.* David Koid is Attorney-General. He refused me to put several forfeited bonds in suit. *East and West Jersey* have no Attorney-General. *New York,* James Graham is Attorney-General. *Rhode Island and Connecticut* have no Attorney-General, nor has *New Hampshire. Massachusetts.* Thomas Newton, a person well known in practice in the Courts of England, was made Attorney-General by Sir William Phips, but on his vigorous prosecution of offenders against the Acts of Trade was (as I am informed) put out to make place for Anthony Checkley, a man who is ignorant of the laws of England and has been (if he be not still) an illegal trader. Mr. Brenton can probably give you better information hereon. *Signed,* Ed. Randolph. *Attached,* A rough list of the Attorneys-General for the American Colonies as already sketched by Randolph. ½ *p. The whole endorsed,* Read 21 Aug. 1696. [*Board of Trade.* Plantations General, 4. *No.* 7; *and* 34. *pp.* 29-33.]

Aug. 25. **166.** Minutes of Council of Barbados. Bill for supply of arms passed. Order for a proclamation to all servants lately employed on the ships of war to return to their service. Proclamation for farthings to pass current in sums under seven pence halfpenny. Orders for the vessels bound to North America to sail with their convoy, for the French prisoners to be sent to Europe, for the foot-guards to be discontinued at night, and for writs to be issued for election of two members of Assembly. Order as to reimbursement of the expenses for the French prisoners. Michael Terrill sworn of the Council.

Aug. 26. Order as to returning salutes with one gun only. Order for the fleet to sail on Saturday sennight and for the letters to England to

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be ready. Order as to the bonds to be given by administrators of estates. Sundry accounts passed. Bill for encouragement of 100 Christian servants rejected. Jonathan Langley gave new security as Administrator of the late Governor's estate. [*Board of Trade.* Barbados, 65. *pp.* 133-136.]

Aug. 26. **167.** Journal of Council of Trade and Plantations. The Duke of Shrewsbury gave in a letter from Governor Fletcher to him of 30 May (*see No.* 13). Mr. Chidley Brooke and Mr. William Nicoll were then called in, and gave a long account of the French and Indians, with some account of the produce of the country and the timber therein. [*Board of Trade.* Journal, 9. *pp.* 70-73.]

[Aug. 26.] **168.** Copy of a Bill drawing up a constitution and scheme of government for Pennsylvania. 7½ *pp. Endorsed,* "Presented to Governor Markham by the Quakers, which they desired to purchase to be enacted for the sum of £200 to be given as an assistance to New York, May 1696." Recd. 26 Aug. 1696. [*America and West Indies.* 599. *No.* 27.]

Aug. 27. Whitehall. **169.** Order of the Lords Justices of England in Council. Referring Governor Fletcher's letter of 30 May to the Council of Trade for report. *Signed,* Wm. Bridgeman. ½ *p. Annexed,*

169. I. Original letter of Governor Fletcher to Lords of Trade and Plantations of 30 May. *Abstracted above No.* 15. 4 *pp. The whole endorsed,* Read Aug. 31, 1696. [*Board of Trade.* New York, 6. *Nos.* 53, 53 I.; *and* 52. *pp.* 10-14.]

Aug. 27. **170.** Minutes of Council of Massachusetts. Order for payment of £2,500 for the equipping of the ships hired for the King's service, and for other expenses in relation to defence. [*Board of Trade.* New England, 49. *pp.* 42-43.]

Aug. 28. **171.** Journal of Council of Trade and Plantations. Several packets were received. There were read Governor Nicholson's letters of 18 March and 12 June, two letters of 10 June from Governor Fletcher, one from Mr. Usher of 1 June, one from Mr. Beverley of 23 June, one from Sir E. Andros of 27 June. A list of the documents in these packets was made.

Petition of John Miller read (*see No.* 173), when he was called in, and having given some account of the operations against the French and Indians, he was told that Mr. Heathcote would be spoken to on the subject of his petition. [*Board of Trade.* Journal, 9. *pp.* 73-79.]

Aug. 28. **172.** "Some Considerations offered by Colonel Charles Lidget, merchant, of New England, for advancing the trade of that country and making it more serviceable to the Kingdom." Of all the Plantations in America none is of so small account as New England, for want of its being duly considered. The Colonies are generally esteemed according to the convenience and benefit which they bring to England, their mother; and those of New England, not being so open to common observation, make that place the less

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regarded. Though not half so long settled as the rest, this plantation has outgrown them all in numbers, settlements and industrious improvements, and in itself contains all the conveniences and necessaries which all or any others do, abundance of excellent harbours, and every requisite to build or repair shipping. From its nearness to the British Islands it may be called the key or head of America; and in whose hands soever New England is, the rest must be. The benefit arising to the Crown from Barbados and the Leeward Islands is due chiefly to New England, which supplies them with shipping, all woodwork for building, horses, provisions (especially fish for the negroes) all at such cheap rates as no other place could do. The land of those Islands would be useless without the negroes, who are the substantial part of the African Company's trade. New England can be more serviceable still by supplying commodities to England in barter which are now supplied by foreign countries and call all the current coin out of the land, such as naval stores of all kinds and copper, iron, lead and other mines, which are there and will be opened as soon as due encouragement is given to those who will undertake it. The number of ships there built and sold to other countries or used for trading shew what may be done in that respect. The largeness of the country, allowing the people to scatter and each to employ himself in the management of his own property according to his own inclination is the true reason why they have not applied themselves to opening or searching for mines. It would be happy for New England if encouragement were given to that undertaking, and Old England would profit also. The importation of goods from England into that Colony, beyond what they can of themselves produce returns for, has of late much abated their consumption of English manufactures and driven them to practise many of the manufactures of England, which has so far proceeded that most of the country-people are supplied with the produce of their own land. For if the course of trade cannot take off the husbandman's product in the common road of husbandry, he must turn his hand to a supply within himself of these necessaries that he cannot live without. If encouragement were given for importing naval stores into England and for opening and working mines, it would produce a constant staple return hither, employ the people in those affairs and divert them from interfering with England in manufactures. But unless some such way be found they must necessarily pursue what they have so far begun and rush into any foreign trade, which hath been too much practised for England's interest. To restrain them from these necessitous supplies of their absolute wants would savour of great rigour. It is but a weak argument to say that as many goods go thither from England now as in former years, for if the people be since multiplied by one half or double the number (as it must be confessed that they are) then, if the exportation be not greater now than formerly, it is plain that trade decays. But the production of naval stores and opening of mines is not to be expected from private hands. If that Colony be thought worth preserving, kept dependent and made useful to its original, it is worth while to put it into method by a company, regulated, empowered and encouraged as may be thought fit. Unwary and unthinking men object that a

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company will ruin the country, that it is not for their interest, will be a monoply, &c. This is the complaint of such as are ignorant of the place or think it will abate their particular interest. The answer to such may be, that the undertaking requires too great a stock for a few persons, so will be best done by some body of men that will adventure therein, under such regulations as may make them secure one with another, serving the Government with their own interest. Nor can it be to the prejudice of New England to have a considerable sum sent into it, to improve the land, employ the people, purchase and build among them, and make them rich by a discovery which none but such a company can ever let them into. Nor can any single man or number of men be hindered to practise the same thing if they will adventure upon it, and yet will not be so subject to the correction of the Government for any irregularity as a corporation fixed in London will be. The present and usual adventurers to New England, for any considerable value, are the least in number of any trade, and accordingly find their advantage, making the people pay such price for English commodities as they think fit, and in this time of war double, treble or even more, of the first cost. If a company, which may consist of many hundreds, shall send a considerable value thither and supply the people at far cheaper rates, then truly thirty or forty men, who now are alone in the trade, will decline; but the people in general will be benefitted and such a corporation will prove an universal good to New England and to the kingdom. *Two closely written pages. Endorsed*, Recd. 31 August, 1696. [*Board of Trade.* New England, 8. *No.* 21.]

Aug. 28. **173.** Petition of John Miller to Lords of Trade and Plantations. I was appointed chaplain to the King's forces in New York by commission of 7 March, 1691, and have faithfully discharged my duty whenever I was in a capacity to do so. But there is an establishment particularly for payment of those forces, under which I am first concerned, so that I am liable to several grievances and inconveniences, as set forth in enclosed paper. I beg for redress. ½ *p. Annexed*,

173. 1. The grievances referred to in above petition. (1) I went over to New York with Governor Fletcher, was at great expense in fitting myself out for the voyage and acted as chaplain to H.M.S. Wolf. But the preparations for the voyage prevented me from taking out my commission before the 7th of March, 1691, and Governor Fletcher will not allow me any pay before that day. I beg that pay be granted me from the same date as Governor Fletcher's own pay. (2) Chaplains in Flanders are allowed five shillings a day subsistence; but Colonel Fletcher allows me but 3*s.* 4*d.*, New York money, which is but 2*s.* 6¾*d.* sterling, and owing to the dearness of commodities not worth more than 1*s.* 6*d.* in England. (3) Chaplains in New York were wont to receive their full pay yearly. The money arising from the soldiers' pay by the advance thereof in New York amounts to £200

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or £300 annually, which is not applied by the establishment to any other case, and is more than sufficient for the purpose. So that if nothing but the soldiers' bare subsistence were paid here in England (whereas I am told that the greatest part of the off-reckonings is paid also) there would be money sufficient, I believe, to pay the chaplain and other officers. Yet in three years and seven months I have received but £151 7*s.* 3*d.*, and that with much trouble. If my pay were allowed to come at the same time as Governor Fletcher's, the amount would be £352 11*s.* 3*d.* (4) In February, 1694, I received news that my father had been dead a year and a half, and that my presence was needed in England. Governor Fletcher gave me leave to come to England on my making provision for the supply of my place. I therefore made every preparation for this and for my voyage, when Colonel Fletcher refused to grant me leave unless I laid down my commission. Being unwilling to do so I came away without furlough, and Colonel Fletcher has taken advantage of this to deprive me of my pay since my departure from New York, and to put another man in my place. I therefore beg redress. 1 *p.*

173. II. Extract from a letter of Governor Fletcher to Gilbert Heathcote, 29 May, 1695. Enclosed is an abstract of Mr. Miller the Chaplain's subsistence from the date of his commission to 1 April, 1694, to which date you say the companies were cleared for subsistence. You will see that £55 19*s.* 9*d.* is due to him, which please pay to him. He is now gone to England, I suppose with no design to return, leaving the Companies here without a chaplain, there being no Protestant minister here but himself, so that I must supply his place as soon as possible. I am informed of one lately come over to Boston and intend to send to him; so I would have you account with Mr. Miller only up to 1 June, 1695. The enclosed paper will shew you the value according to New York money. *Copy.* ½ *p. Endorsed,* Read 4 Sept. 1696.

173. III. Copy of a certificate of Henry, Bishop of London, as to the godly performance by John Miller of his duties as Chaplain at New York, from August, 1692, to June, 1695. ½ *p. The whole endorsed,* Read 28 Aug. 1696. Answered 4 Sept. [*Board of Trade.* New York, 6. *Nos.* 55, 55 I.-III.]

Aug. 28. Burlington. New Jersey

174. Governor Hamilton to Governor Fletcher. Could I make our people as sensible as myself of the hazard Albany lies under, and that the weakness of that garrison may very probably tempt the enemy to attack the place, as they have Pemaquid upon the same grounds, I am sure they would find it their interest to run to its defence. But whom have I to work upon but a stiff and obstinate people, who shut their ears to all reason and become

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debauched by the example of the neighbouring Colonies, which they still obtrude to me. You may believe that it was with great difficulty that I obtained what I did, namely that in case of an invasion they should march to the frontiers and be at liberty to return when the action was over and the enemy retreated. Even to obtain this I was forced to promise them twelvepence a day from you and pledged my own credit to procure them twelvepence more at the first sitting of an Assembly. So plentifully do they live at home, and so large are their wages. Moreover several of our youth are gone to the Southern Colonies to be free from detachments, and several, as I told you, are gone aboard Captain Kidd, so that it is impossible to prevail with them to remain in garrison, and indeed it is very difficult to effect anything. I am truly melancholy to see ourselves thus baffled by a handful of French, nor will it ever be otherwise until the Crown send a force to root them out of America, or put an indisputable command upon every Colony to furnish a quota and pay them; for while it rests in the breasts of our Assemblies to raise a fund for the support of the frontiers or neglect it, and in the choice of the people to march or stay at home, you do not need to be told at this time which part they will choose. I will nevertheless call an Assembly in October next and will enforce the necessity of the frontiers with all the zeal which I am sensible that they require. *Signed*, And. Hamilton. 1½ *pp. Endorsed*, Recd. 23 June, 1697. Read 9 April, 1698. [*Board of Trade.* New York, 6. *No.* 54.]

Aug. 29. **175.** Minutes of Council of Virginia. Order for a proclamation for the return of all deserters to the King's ships, for the apprehension of all delinquents, and against entertainment or concealment of the same. The matter of the ship Resolution deferred to next Council. [*Board of Trade.* Virginia, 53. *pp.* 37-38.]

Aug. 31. **176.** Representation of Edward Randolph as to Virginia. The following discourse represents: (1) the discouragements that the planters in Virginia lie under, and the consequent loss to the customs on tobacco; (2) the method for remedying those growing mischiefs for the future; (3) the certain advantage that will thereupon arise both to the King and to the planters. It has been the interest and care of this Government to preserve the trade to the plantations entirely to themselves, and to that end divers Acts of Parliament are made with severe penalties upon the violators thereof. But no care has hitherto been taken to increase and encourage the number of planters of tobacco in Virginia, nor has it ever been examined whence it comes to pass that Virginia (the oldest English settlement on the Continent, begun over eighty years ago) is not better inhabited considering what vast quantities of servants and others have yearly been transported thither. Some have imputed it to the unhealthiness of the place; others have said that tobacco, the sole staple, yields them little (all charges deducted) when it it is brought to England. But the chief and only reason is that the inhabitants have been and still are discouraged and hindered from planting tobacco in that Colony; and servants are not so willing to go there as formerly because the members of Council and others who make an interest in the Government have from time to time

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procured grants of very large tracts of land, so that for many years there has been no waste land to be taken up by those who bring with them servants, or by servants who have served their time. But the land has been taken up and engrossed beforehand, whereby such people are forced to hire and pay rent for lands or to go to the utmost bounds of the Colony for land exposed to danger, and often the occasion of war with the Indians. The manner of taking up land in Virginia is this. Every adventurer or planter has, upon his arrival, a right to fifty acres of land in the Colony. If he intends to take up any, he must first make oath, before the Council in a County Court, of the number of persons that he imports, and they of course grant him a certificate thereon, which is entered at the Secretary's office and is then produced to the Surveyor of the County where the land lies waste. He makes a survey allowing fifty acres according to the number of his rights (persons imported) which with the rights is carried to the Secretary's office, in which a patent is made and signed by the Governor in Council, who causes the seal of the Colony to be affixed to it. Thereby the claimer becomes owner of an estate in fee simple, but upon the following conditions:—(1) to pay the King an annual rent of one shilling for every fifty acres; but they never pay a penny of quit-rent to the King for it, by which in strictness of law their land is forfeited. (2) They are to seat such land within three years, otherwise it is deserted. By seating land is meant that they build a house upon and keep a good stock of hogs and cattle, and servants to take care of them and to improve and plant the land. But instead thereof, they cut down a few trees and make thereof a hut, covering it with the bark, and turn two or three hogs into the woods by it. Or else they are to clear one acre of that land and plant and tend it for one year. But they fell twenty or thirty trees and put a little Indian corn into the ground among them as they lie and sometimes make a beginning to serve it, but take no care of their crop, nor make any further use of the land. (3) If such land lie far up in the country upon the frontiers, they are required by law to keep four able men well armed; but this law is never observed. These grants are procured upon such easy terms and very often upon false certificates of rights. Many hold twenty or thirty thousand acres of land apiece, very largely surveyed, without paying one penny of quit-rent for it. In many patents there is double the quantity of land expressed in the patent, whereby some hundred thousand acres of land are taken up but not planted, which drives away the inhabitants and servants brought up only to planting to seek their fortunes in Carolina and other places, which depopulates the country and prevents the making of many thousand hogsheads of tobacco, to the great diminution of the revenue.

For present remedy it is proposed (1) That a survey be forthwith ordered of such lands in every county of Virginia. (2) That a demand be made in full for all arrears of quit-rents due for these lands, and that the claimers thereof be compelled by law to pay them. The Sheriff of King's and Queen's County about four years since made a return that there were 38,000 acres of land in his county taken up by patent, for which he could receive no quit-rent,

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there being nothing on the land to distrain, and the persons who claimed the same living in other counties. (3) That strict orders be given that grants hereafter shall be made upon more certain terms, and not above 500 acres granted to one man. Such restriction is at this time very requisite, for in some parts of the country (such as Pamunkey Neck and the south side of James River) where the Indians inhabited, these lands were for several years forbidden to be taken up; but, the Indians being reduced to small numbers, the Burgesses have addressed the Governor to grant away these lands. The King has granted 20,000 acres of that land to the College in Virginia, which will soon be settled and planted, if great quantities are not already granted away to persons who have long aimed at it, though they have some thousand acres of land more than they know what to do with. The advantages of a due regulation both to the King and to the inhabitants are as follows. (1) The compelling the owners of such vast tracts of land to pay their quit-rents will raise a great sum of money, or, upon their refusal, some hundred thousand acres of unimproved land will revert to the Crown and invite home those who for want of land left Virginia, and encourage more to come from proprieties and other places and to make their settlement, being well assured of their titles and to hold of the Crown only. (2) The granting away such lands in parcels not exceeding 500 acres to one man will mightily increase the number of planters, who through necessity will seat themselves in a far nearer neighbourhood than formerly and thereby be the better enabled to secure their country, families and plantations from spoil and rapine; and many thousand hogsheads of tobacco more than formerly will be made in the Colony. (3) The trade, shipping and navigation of England will be encouraged and the customs on tobacco yearly increased. Colonel Nicholson, Lieutenant-Governor of Virginia, was very sensible of the damage and injustice done to the Crown by their using and conniving at such unwarrantable practices in granting away the King's lands, and was resolved to reform them by suing some of the claimers for arrears of quit-rents; but finding that the Council and many of the Burgesses, among others, were concerned, and being uncertain of his continuing in the Government, he ordered to begin with Laurence Smyth, who was seised of many thousand acres of land in different counties, and for one particular tract of land was indebted £80 for arrears of quit-rents, which sum after the cause was ripe for judgment, was compounded for less than one half. *Three closely written pages, with abstract attached. Endorsed*, Recd. 31 Aug. Read 6 Oct. 1696. [*Board of Trade.* Virginia, 6. *No.* 5; *and* 37. *pp.* 19-23.]

Aug. 31. **177.** Journal of Council of Trade and Plantations. The Orders in Council of 27th August, referring a letter of Governor Fletcher, and another of 23 April, with a petition of the Colony of Connecticut as to the quota, were read. Major General Winthrop was ordered to attend next meeting.

Two papers from Mr. Randolph as to Attorneys-General, and as to tobacco planting in Virginia, were read (*see Nos.* 165, 176). Colonel

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Lidget's memorial was received (*see No.* 172). An address to the King from Maryland as to Governor Copley's estate was read.

The Secretary reported that he had received £150 from the Treasury for incidental expenses.

Sept. 1. The papers received by last packet from New York were read.

Sept. 2. The papers received by last packet from Virginia were read. [*Board of Trade.* Journal, 9. *pp.* 79-87.]

Sept. 1. **178.** Minutes of Council of Barbados. Order for H.M.S. Newcastle to convoy the homeward-bound fleet to latitude 18°. Colonels Bayley and Boteler nominated to two vacant regiments of militia. A day of humiliation appointed. Sundry accounts passed. Order for the French prisoners to be distributed among the ships of the homeward-bound fleet.

Sept. 2. Addresses to the King, one of congratulation, the other concerning Colonel Chamberlayne, were signed and sent to the Assembly for signature, also letters to the Agents and duplicates. Order to delay the sailing of the fleet for a few days. [*Board of Trade.* Barbados, 65. *pp.* 136-138.]

[Sept. 2.] **179.** Extracts from the Minutes of the General Assembly of Virginia in April and May, 1696, and of the Council from June to December, 1695, and from April to June, 1696. *Note.* This apparently was intended as a general abstract of the proceedings, and was read at the meeting of the Council of Trade and Plantations on the 2nd of September, 1696. [*Board of Trade.* Virginia, 37. *pp.* 7-10.]

Sept. 2. **180.** Governor and Council of Connecticut to Lords of Trade and Plantations. We duly appointed a day of thanksgiving for the deliverance of the King from the late horrid conspiracy. We also published the proclamation for arrest of persons accused of high treason, which we doubt not will be followed. We have also received the Act for regulation of the Plantation Trade, which was forthwith published, order being also taken for due attendance of it. The principal persons of the Province have subscribed to the Association, which you sent to us, and we can assure that there will be general and hearty concurrence therein. We thank you also for your warning of a French design upon America, and of the necessity for our putting ourselves in a state of defence, which we acknowledge ourselves bound with all due care to attend. By order of the Governor and Council. *Signed,* Eleazar Kimberly. 1 *p.* *Endorsed,* Received and read, 8 Dec. 1696. [*Board of Trade.* New England, 8. *No.* 22; *and* 36. *pp.* 69-71.]

Sept. 2. Antiqua. **181.** Governor Codrington to Council of Trade and Plantations. Since mine of 5 May I have received yours of 18 February, 10 March, 15 and 20 April, with a copy of the Scotch Act, the instructions of the Commissioners of Customs as to enforcing the Acts for regulating the Plantation Trade, and a new Act which I have made as public as possible. A day of thanksgiving for the King's deliverance from the conspiracy against him was very heartily observed here and, I doubt not, in the other Islands of this Government. The Associations, signed by all the persons in this

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Government, shall be sent to you in a month. Four days since, a brigantine arrived from Boston, the master whereof (an intelligible man) gives me account that, from certain news obtained from prisoners from Canada, there were twelve or fourteen men-of-war arrived in Canada with design to attack the coasts and trade of New England and pass thence to the West Indies. Two days ago the Colchester sent in a French shallop which she had captured on the 27th ult. off Martinique, in which were twelve prisoners who reported that fourteen men-of-war had arrived from France (they did not say where) to attack St. Domingo. I conclude that these are the ships from Canada which, now that winter is approaching, will, I believe, soon look this way. The expectation of this fleet, joined with the warning given in your letter of 20 April, will oblige me to continue a strict guard in these Islands until this storm is blown over. I have caused all the breast-works to be made good and the Island to be put into the best posture of defence, and have not failed to order the other Islands to be in like readiness. Pursuant to the King's orders I delivered St. Eustatius to the Dutch, who have now been three months in possession of it. I shall not fail to observe the order to detain the Brandenburg vessel of which Erasmus Heinderick is master. *Signed*, Chr. Codrington. 2½ *pp. Endorsed*, Recd. 5 Nov. Read, 6th. Answd. 23 Nov. 1696. *A short abstract is attached.* [*Board of Trade.* Leeward Islands, 5. *No.* 5; *and* 45. *pp.* 15-17.]

Sept. 3. **182.** Order of the Lords Justices of England in Council. Referring a memorial from the Lords of the Admiralty to the Council of Trade, to hear Sir Henry Ashurst and other persons concerned in the matter, and to report. *Signed*, Rich. Colinge. ½ *p. Annexed*,

182. I. Memorial of the Lords of the Admiralty. Forwarding draft instructions, pursuant to order, for the persons intended to go to New England to inspect the naval stores there. *Signed*, R. Rich, G. Rooke, J. Kendall, Wm. Bridgeman. Admiralty Office. 1 September, 1696.

182. II. Instructions for John Bridger and Benjamin Furzer, appointed to report as to the condition of that Colony with relation to naval stores. Twelve clauses, including detailed description of the oak best suited for naval purposes. It is mentioned that two persons appointed by the Agents are to be joined with them in their inspection. *Four closely written pages. The whole endorsed*, Read 3rd in Council. [*Board of Trade.* New England, 8. *Nos.* 23, 23 I., II.; *and* 36. *pp.* 22-28.]

Sept. 3. Whitehall. **183.** Order of the Lords Justices of England in Council. That the Council of Trade speak with the merchants trading to the Colonies respecting convoys for the merchant-fleets, and report to the Council. *Signed*, Rich. Colinge. ½ *p. Endorsed*, Recd. and read 4 Sept. [*Board of Trade.* Plantations General, 4. *No.* 8; *and* 34. *p.* 33.]

Sept. 3. **184.** Minutes of Council and Assembly of Antigua. The Assembly again requested a copy of the Act obliging the Secretary

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and Marshal to give security. Captain John Perry produced his patent to be Provost Marshal, which was allowed.

Sept. 4. In reply to a request from the Assembly for the suspension of John Palmer from the Council, the Governor declined to suspend him till he should have been heard; but consented to receive the Assembly in a body and hear their allegations against him. The Assembly sent up requests for an address to the King to be drawn up, for a new Secretary and a new Marshal to be appointed, for a short Act to reinforce the Act as to those officers giving security, and for an Act to lay a duty on dry goods sold by retail. Message from the Governor to the Assembly as to the carrying on of the works at Monkshill, which was postponed by the Assembly till next meeting. [*Board of Trade.* Leeward Islands, 64. *pp.* 179-182.]

Sept. 3. **185.** Minutes of Council of Massachusetts. Advised that an expedition be set forward for attack of the fort on John's River in the Bay of Fundy, to surprise the cannon and stores lately sent from France, by the employment of the forces lately despatched eastward under Major Church, with a reinforcement of 100 men; that H.M.S. Arundel and the Province galley be ordered to cover the river's mouth, and that Lieutenant-Colonel John Hathorne take command of the expedition.

Sept. 4. The embargo on outward bound ships was raised. [*Board of Trade.* New England, 49. *pp.* 43-44.]

Sept. 4. **186.** Minutes of Council of Barbados. Depositions taken as to the sending of English prisoners from Martinique to France. The Council proposed to the Assembly that the expense of its entertainment since the Governor's death be paid by the public. In reply to a petition the Council answered that the seating of the Courts should be their first care after the fleet had been despatched. [*Board of Trade.* Barbados, 65. *pp.* 138-139.]

Sept. 4. **187.** Journal of Council of Trade and Plantations. The Order in Council of 3 September as to convoys was read (*see No.* 183) and the Clerk was ordered to report as to the method used for the same by the late Committee.

The Order in Council of 3rd inst. as to Sir Henry Ashurst was read (*see No.* 182) and Sir Henry was ordered to attend next Monday. Jahleel Brenton attended and desired attention to the papers concerning him referred by Order in Council of 23 April last.

Mr. Miller attended on the subject of his pay, but was told that the matter was not the business of the Council. He then gave a further account of the incursions of the French and Indians, the trade and state of Albany, etc.

Order for purchase of fire-irons, etc. for the office.

Sept. 5. Order for Mr. Povey and Mr. Bridges to attend next Monday. Order for all Colonial laws to be sent to the law officers for inspection. The Order in Council of 23 April as to Mr. Brenton read. [*Board of Trade.* Journal, 9. *pp.* 87-92.]

Sept. 7. Barbados. **188.** Council of Barbados to the Duke of Shrewsbury. By the death of Governor Russell the Government has devolved upon us. We have passed three Acts for repairing the forts, for ensuring

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efficiency of arms among the militia, and to secure the gunpowder duty from frauds, and we have imposed a tax on negroes, which will bring in about £10,000, for purchase of arms and for other measures of defence. We are now making every preparation to defend ourselvss in case of attack. We beg your care of this Island, and that you will listen to our Agents in the matter of Sir Willoughby Chamberlayne's character. Our Island would be more miserable than ever before, should he govern it. *Signed*, Fran. Bond, President; John Gibbes, John Farmer, George Lillington, Jno. Bromley, Wm. Sharpe, Pat. Mein, Tob. Frere. 1¼ *pp.* [*America and West Indies.* 456. *No.* 67.]

Sept. 7. **189.** Council of Trade to the Lords Justices of England. We are of opinion that the appointment of Attorneys-General in the Colonies will conduce to the ends proposed by the Commissioners of Customs. We have advised with Mr. Randolph, and on his report we recommend that William Randolph, George Plater, David Lloyd and Anthony Checkley be removed from their posts of Attorneys-General in Virginia, Maryland, Pennsylvania and Massachusetts respectively, and that the following gentlemen be constituted Attorneys-General, viz.: For Virginia, Maryland, Pennsylvania, Maryland, North Carolina and West Jersey—Edward Chilton; for Massachusetts, Rhode Island and New Hampshire—Thomas Newton; for New York, East Jersey and Connecticut—James Graham. *Signed*, J. Bridgewater, Ph. Meadows, John Pollexfen, John Locke, Abr. Hill. [*Board of Trade.* Plantations General, 34. *pp.* 32-33.]

Sept. 7. **190.** Journal of Council of Trade and Plantations. Order for Mr. Hartwell to attend on Wednesday next. Mr. Bridges and Mr. Perry attended on the question of convoys, and, with the other Agents, were desired to put their suggestions into writing.

Sept. 8. The Secretary reported that Colonel Hartwell was too ill of the gout to attend.

Sept. 9. Mr. Brenton was desired to lay a state of his case before the Board. Order for the Secretary to draw up a representation concerning New York, and to enquire of Mr. Heathcote as to presents for the Indians.

Orders for Major-General Winthrop and Dr. Daniel Cox to attend the Board, and for a circular letter, with queries, to the Governors to be drawn up by the Secretary. [*Board of Trade.* Journal, 9. *pp.* 93-96.]

Sept. 8. **191.** Minutes of Council of Barbados. The Council agreed that the President do have half the salary appointed for the Governor by the Royal Instructions. [*Board of Trade.* Barbados, 65. *p.* 139.]

Sept. 8. Barbados. **192.** President and Council of Barbados to Council of Trade and Plantations. Our last was by way of the Leeward Islands, reporting Governor Russell's death. When he died we found two Colonels' commissions vacant, which we have bestowed on Colonel Abel Alleyne and Colonel William Cleland, and we have passed three bills brought in by the Assembly, one for raising four shillings a head

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upon negroes, which will come to near £10,000, for purchasing such arms, ammunition and stores as are obtainable in the Island, and for repairing and supplying the forts, to encourage the importation of white servants, and to pay off the country's debts. The second Act is for repairing the forts and entrenchments, and the third is to protect the gunpowder duty from fraud and impose a further fine on those who appear in the militia with bad arms. Commissioners are appointed to ascertain and supply the wants of the forts. We enclose a report of the condition of the magazine taken soon after the Governor's death. We were surprised to find it in so low a state, and though we and the Assembly have frequently desired to know it, in order to a supply, yet it has been our unhappiness to be refused. Not only have we been denied to look into the accounts thereof but we have been told that it was not our affair, but the Captain-General's only. We must now tell you that £3,500 has heretofore been laid out in arms and warlike stores and put into the magazine, whereof the greater part has been sold out; and we have reason to believe that the money has been converted to private uses. But we shall report more fully on this after enquiry. All vessels trading to the Island pay an impost of one pound of gunpowder per ton, which you may conclude must bring in great quantities of powder, so as to make a far greater store than is now here. The ordinary expense is in the return of salutes (when two guns less than they salute the forts with are given to the merchant ships) and the firing of cannon on certain days of solemnity; but the expense of powder for exercise of the militia comes not out of this store, but is borne by every private person who sends to it. However the Council has now ordered one gun only to be returned to the salute of merchant-ships, in order to husband the powder. In our last we announced our intention of sending an express with all speed to give you an account of Governor Russell's death, but the merchants represented the danger of the express falling into the enemies' hands, as it would give them timely notice to waylay and intercept our ships. Lately one Edgerton, who sailed in a swift vessel in March last before the fleet, was taken, and several French privateers at once put out from St. Malo to intercept our fleet. We therefore decided that one ship should sail before the fleet, which was nearly ready to go, thinking that fourteen days' earlier notice was not worth the hazarding of the fleet. We shall duly observe the Royal Instructions to Governor Russell of 4 January, 1694. Until the Governor's death these instructions never came to our sight, so that we were incapable of doing the service commanded therein. We see the King's tenderness for this place in many particulars, and especially in enjoining that the Council's opinion should be taken in the placing or displacing of judges or other officers. But the Council's opinion has not been asked on such matters for many years past, nor till now did we know that it was our duty to give it. When the Council has asked to know the Royal Instructions upon any point, the instruction has not been shewn but told by word of mouth, and sometimes so obscurely as to be unintelligible. A sight of the instructions has been refused to us. We are sorry to say this because it reflects upon some of our former Governors, but we think it our

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duty to report it. We must inform you also that many in office here are men of slender fortunes and capacities, and we hope you will approve of our reform in replacing them by men of good estate and experience. If there be any further instructions, they have not yet come to our knowledge.

H.M.S. Newcastle, being a good sailer, has taken a French privateer which infested these coasts and had taken a ship with sugar which was intended for England. We are sending the prisoners, thirty-four in number, to England, dispersed among the fleet, according to the enclosed list. Our reasons for so doing are as follows. These as well as former prisoners, having been for the most part planters in the French Islands, have had so much encouragement by the practice of sending them back under flag of truce that, having lost nothing but ragged clothes and empty vessels, they have come out against our coasts again and again in a few days, to the great destruction of our trading vessels. Fifty of the best, laden with provisions and other goods, have been taken by them within less than a twelvemonth last past; and the prisoners have frequently said that they will be on our coasts again soon after they are sent home. And this is true, for several of those now sent to England have been taken two or three times within the past six months; but now that we are sending them to Europe, the small planters of Martinique (without whom they can man but few privateers), will be less forward to go to sea. A second reason is that the enemy has sent many of our prisoners to France, as the enclosed depositions show that about 140 English prisoners had arrived in France from Martinique. A third reason is that we have no instructions as to exchange of prisoners, and such agreement as was made between the French Governor and ours we never were privy to. But we know that we have not had from the French near the number of maritime prisoners that they have had from us, though we are assured that on this coast they have taken three prisoners from us against one that we have taken from them. A fourth reason is that we have no place to keep prisoners in, so as to secure them from private converse with disaffected Irish and others who lie concealed here, and give intelligence of our condition. We have a suspicion that François Breardor, the captain of the last privateer taken, has been too curious in his observations here, and it might be well not to permit him to be easily exchanged. A fifth reason is that under colour of a flag of truce for exchange of prisoners, the enemy has more advantage of us in the discovery of our condition that we can have of them; for they have no Irish nor other malcontents. We shall therefore send no more flags without the Royal order. We beg you to pardon us if we represent to you the great importance of Bermuda to the Colonies in America. Not only the trading ships between Europe and those parts, but all the small craft that ply between the North American Colonies and these Islands (without which we could hardly have subsisted during the rebellion in Ireland) always pass within thirty or forty leagues of Bermuda and ten times out of twelve actually within sight thereof, sometimes even stopping there. So that if these Islands should fall into the hands of the enemy they could with eight or ten small vessels easily stop or

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destroy the trade of the West Indies and make themselves masters thereof. We doubt not that your foresight will shew you the dreadful consequences of such a loss, and the importance of the trust committed to the Governor of Bermuda. *Signed*, Fran. Bond, President; John Hallett, John Gibbes, Edw. Cranfield, John Farmer, Richard Salter, Geo. Lillington, Geo. Andrews, Pat Mein, Tob. Frere, B. Hothersall. *Three closely written pages. Endorsed*, Recd. and read 30 Oct. 1696. *A short abstract is attached. Annexed*,

192. I. List of stores in the magazine of Barbados, 18 Aug., 1696. These include 729 small arms, 236 barrels of powder, and about 9,000 shot, serviceable, and the remainder of the stores unserviceable. 1 *p.*

192. II. Duplicate of an alphabetical list of stores wanting, sent with Governor Russell's despatch of 23 July, 1696. *Docket only.* ½ *p.*

192. III. List of French prisoners sent home to England, thirty-four in number, distributed among fifteen ships. *Dated*, 4 Sept. 1696. 1 *p.*

192. IV. Deposition of John Webster, as to the deportation of English prisoners from Martinique to France. *Dated*, 3 Sept. 1696. ½ *p.*

192. V. Declaration of John Lenton. That when a prisoner in France he saw about 140 English prisoners brought thither from Martinique. *Dated*, 4 Sept. 1696. ½ *p. The whole of the enclosures endorsed*, Read Oct. 30, 1696. [*Board of Trade.* Barbados, 7. *Nos.* 10, 10I.-V.; *and (without enclosures)*, 44A. *pp.* 20-27.]

Sept. 8. Barbados. **193.** Edward Cranfield to the Duke of Shrewsbury. Governor Russell died on the 7th of last month of the pestilential fever, which has long raged here, and it may be feared (if God withdraw it not) will lay the Island desolate. The Government has devolved on the Council, with Mr. Bond for president, an aged and crazy man, and very unfit for the station in war-time, especially if we should be attacked. The Council has written to report its proceedings. *Signed*, Edw. Cranfield. *Holograph.* ½ *p. Endorsed*, R. 27 Oct.

Duplicate of the foregoing. [*America and West Indies.* 456. *Nos.* 68, 69.]

Sept. 8. **194.** Memorial of the Agents for New York to Lords of Trade and Plantations. We offer the following suggestions for the securing of New York and the English dominions on the main land of America. The best and surest means would be the dispossessing the French of Canada and settling an English Colony there. Hereby all future expense of garrisons would cease; the whole of the fur-trade will be secured; the Indians will be deprived of all power of doing mischief to the English, but will be wholly at their command, there being no other nation from whom they could obtain the goods which long trade with Europeans has made necessary to them; and the inland parts of the country, which are reported to be full of minerals, could be more easily explored. But if this design be considered too costly or too hazardous, we would submit to you the following particulars:—(1) That about £1,000 sterling

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be laid out annually in presents of ammunition, etc. to the Five Nations, to confirm them to our interest. (2) That during the war a garrison of about 1,000 men be kept on the frontier of New York towards Canada, to shew the Indians that we can protect ourselves and them. (3) That a regular stone fort be built at Albany, and fortifications at Senectady, Canestagione, the Half Moon and elsewhere, and suitable forces posted in them. (4) That yearly recruits of men and of stores of war may be sent over. (5) That five or six hardy youths, of good natural parts and understanding grammar at least, may be sent among the Indians, to learn their language perfectly and become acquainted with their customs and manners, that the Government may have better insight into their measures and more easily treat with them. (6) That some Protestant clergy be encouraged to live with them to endeavour to convert them to Christianity. (7) That as soon as possible a strong fort and a good settlement may be built and made in some convenient place near the lake. *Signed*, Chid. Brooke, W. Nicoll. 1½ *pp.* *Endorsed*, Read 12 Sept. 1696. [*Board of Trade.* New York, 6. *No.* 56; *and* 52. *pp.* 19-21.]

Sept. 9. **195.** Minutes of Council of Massachusetts. Lieutenant-Colonel Hathorne's commission and instructions read and approved, with an additional clause in the commission for the exercise of martial law. [*Board of Trade.* New England, 49. *p.* 44.]

Sept. 10. **196.** Lords Proprietors of Carolina to Deputy-Governor Thomas Harvey and the Deputies and Council of North Carolina. We are extremely pleased at your satisfaction with Governor Archdale. The deed which you sent to us and produced to Mr. Archdale was a true copy of a deed signed by the proprietors. As to your complaints of the Governor of Virginia, we can at present only send you an extract from the original patent of our bounds. *Signed*, Craven, Bath (for himself and for Lord Carteret), Wm. Thornburgh for Sir John Colleton, Tho. Amy. [*Board of Trade.* Carolina, 4. *p.* 32.]

Sept. 10. **197.** The same to Governor Archdale. We are glad that you have secured our money, and doubt not that you will remit it to us shortly, and we are glad also to hear that the Assembly is disposed to grant the French naturalisation on their petitioning for it. Your son is arrived in Ireland. We send copy of our letter to North Carolina. We rejoice that there is a prospect of people coming to settle with you, and gladly ascribe it to your conduct. *Signed as the preceding.* [*Board of Trade.* Carolina, 4. *p.* 33.]

Sept. 10. **198.** Order of the Lords Justices of England in Council. Referring a Representation of the Council of Trade, concerning Attorneys-General for the Colonies, to the Attorney-General for report. *Signed*, Rich. Colinge. ½ *p.* *Annexed*,

198. 1. Council of Trade to the Lords Justices of England, 7 September, 1696. In obedience to your order of 23 July last, concerning the appointment of Attorneys-General in the Colonies, we have advised with Mr. Edward Randolph, who reports as follows. William Randolph, the present Attorney-General of Virginia, is

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wholly unacquainted with the laws and practice of the Courts in England; George Plater, the Attorney-General of Maryland, is a favourer of illegal trade; David Lloyd, Attorney-General of Pennsylvania, has refused to put forfeited bonds in suit; Anthony Checkley, Attorney-General of Massachusetts, is not only ignorant of the laws of England but has been himself an illegal trader. We therefore think these persons unfit for their places, however fit they may be deemed by the Proprietors, and we would recommend the following appointments, viz. Edward Chilton to be the King's Attorney-General for Virginia, Maryland, Pennsylvania, North Carolina and West Jersey; Thomas Newton to be the same for Massachusetts, Rhode Island and New Hampshire, and James Graham for New York, East Jersey and Connecticut. *Signed*, J. Bridgewater, Ph. Meadows, John Pollexfen, John Locke, Abr. Hill. *Copy.* 1½ *pp.* [*America and West Indies.* 601. *Nos.* 32, 32 I.]

[Sept. 11.] **199.** Memorial of the Agents for the Leeward Islands and Merchants trading thereto, to Council of Trade and Plantations. If we are restricted from sending as many ships to the Leeward Islands as we think necessary, we beg that the usual number of two hundred seamen may be allowed to us for such ships as we can provide. We will endeavour that these ships shall be at Gravesend before the 31st of December ready to proceed to the Downs and thence to the Leeward Islands, and no sooner. For sugar is not made until January or February, and no number of ships can be certain of their loading till April and May. We beg therefore that the convoy may be ready in the Downs on the first of January, and that the fleet may proceed direct to the Leeward Islands without touching at Barbados, to prevent any ill consequences from the French Islands that lie between them. *Signed*, Bastian Bayer, Jeff. Jeffreys, Joseph Martyn, Rd. Cary, *and by sixteen others.* 1 *p.* *Endorsed*, Read 11 Sept. 1696. [*Board of Trade.* Leeward Islands, 5. *No.* 6; *and* 45. *p.* 6.]

[Sept. 11.] **200.** Memorial of the Agents for the Leeward Islands to Council of Trade and Plantations. The Leeward Islands and St. Christophers before the war were in a very thriving condition both of trade and of increase of inhabitants; but the population, especially of men able to bear arms, has since greatly decreased by mortality and by the several expeditions against the French Islands and for the recapture of St. Christophers, so that at present their chief security lies in being guarded by some ships of war against the attacks of French privateers and men-of-war, which not only from time to time invade and spoil the said Islands but destroy the trade outward and inward. We commend this to your serious consideration. St. Christophers was settled before any of the other Islands by the French and English, and was divided into four quarters, of which two belonged to each nation, while a peninsula with salt ponds upon it, running southerly towards Nevis, belonged to the French, though the salt was shared neighbourly by both nations

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until 1666. The French then took the two English quarters and kept them until 1671, when they were restored under the Treaty of Breda. So matters remained until the beginning of the present war, when the French again fell on the English, took the fort after some time of siege, drove them from the Island, destroyed most of their plantations, and held the whole until 1690, when Governor Codrington retook it and sent the French away. The whole Island therefore now remains in the possession of the English, inhabited by some of the former settlers and by others from other parts, who have received the plantations that formerly belonged to the French. But the uncertainty whether the whole Island will remain to the English after a treaty of peace hinders settlement at present, people being unwilling to bring property to lands which they have no certainty that they will enjoy. But if it be once known that the Island will remain wholly to the English, settlers will soon repair thither, the Island being famous for healthiness, fertility, and produce of indigo, sugar, ginger, etc. It is about thirty miles in circumference, able to contain many thousands of people, has a reasonable good fort, roads for shipping, and is well watered, with the advantages to make it the best and most considerable of all the Carribee Islands.

But if the French should be restored to their part of the Island and the settlers now in their plantations turned out, it will be a great discouragement not only to them but to the old English inhabitants and to all the Leeward Islands, which have ventured their lives for the capture of St. Christophers. The old English inhabitants will probably withdraw, having been already twice ruined, and will not run the like hazard again upon outbreak of war between England and France; preferring to abandon their plantations and carry away what they can rather than stay and endanger the losing of all, whereby the Crown will lose revenue and the nation trade. If on the other hand the Island be kept wholly for the English, the revenue and trade will probably become considerable in a few years. Moreover the restoration of the French might be of dangerous consequence to the other Leeward Islands, for Nevis is but three miles distant, and the Council and Assembly are so apprehensive, that they have urged us to make all possible application for St. Christophers to be retained wholly by the English. We beg therefore that you will represent the importance of this to the King upon conclusion of a treaty of peace. *Signed*, Bastian Bayer, Jeff. Jeffreys, Joseph Martyn, Rd. Cary. 2 *pp. Endorsed*, Read. 11 Sept. 1696. [*Board of Trade.* Leeward Islands, 5. *No.* 7; *and* 45. *pp.* 7-9.]

[Sept. 11.] **201.** Memorial of the Agents for the Leeward Islands to the Council of Trade and Plantations. We would represent that the Leeward Islands have suffered much, both by land and sea, from want of ships of war to guard them against the French privateers. At present there are three ships of war in those Islands, of which two went with the last merchant-ships and are to continue there, while the third is ordered to convoy the homeward fleet. The safety of those Islands depends upon their sea-guard, and since it is necessary for those two ships of war to be relieved, we beg that

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a fourth-rate and a fifth or sixth-rate, good sailers, may be ordered thither as convoy to the outward-bound fleet, and to remain there for the protection of the Islands, while the two ships now there convoy the homeward-bound fleet to England. *Signed*, Bastian Bayer, Jeff. Jeffreys, Joseph Martyn, Rd. Cary. 1 *p. Endorsed*, Read 11 Sept. 1696. [*Board of Trade.* Leeward Islands, 5. *No.* 8; *and* 45. *p.* 10.]

Sept. 11. **202.** Memorial of merchants and shipowners trading to Virginia and Maryland, to Council of Trade and Plantations. We have now several ships in the Thames and gone to the Isle of Wight, which will be ready to sail for Virginia and Maryland in ten days at farthest. We beg for convoy for the same, and the more particularly because we have the greatest fleet ever known to have gone to those plantations, being one hundred sail from the port of London besides other ports. Also, our fleet being retarded by the embargo until the 31st of May last, the Western ports had the advantage of us and fetched away the crop for which our fleet was designed, whereby it will be impossible to load our fleet until next crop which, with so large a fleet, will not be till February next. Before the fleet sailed we represented to the Admiralty that a limited order to our convoy would occasion our fleet to be divided and unable to come together, and we begged that the convoy might stay for such time as the exigence of affairs required. They answered they would do what should be for the King's service and ours, but would not give any time at large. We then advised our commanders to address the Commodore herein. They tell us that the orders given to him were 110 days, within which time it would be impossible to load, and that the Commodore said he should strictly obey his orders; and they ask us to get the order altered. We beg therefore to point out to you that unless some further instructions be sent, our fleet cannot be half laden, but we must either come empty, or be divided, part to come with the convoy, part to be left naked in the country. To convince you further, the 110 days will expire on the 1st of December, in which time it would be impossible to load above a third of the fleet. The fleet will arrive not only when most of the crop will have been shipped by the Western fleet, but also at a time when the worm in that country eats the ships, so that they will be obliged for six weeks to run up into fresh water to preserve themselves, in which time they can do little for their loading. The crop with which they are to be laden is all growing, and cannot be cured and packed ready for shipment until February at soonest, or if the winter be hard, very possibly later. We beg therefore that a convoy may immediately be provided for the ships now ready, which are the last designed to those plantations this year, and to meet the convoy there with such orders as may enable the fleet to be all laden and to come together, and that she may come with them, being so great a fleet, for better security. *Twenty-three signatures. Large sheet. Endorsed*, Read 11 Sept. 1696. [*Board of Trade.* Virginia, 6. *No.* 6; *and* 37. *pp.* 5-7.]

Sept. 11. **203.** Reasons offered by Major-General Winthrop, Agent for Connecticut, why Governor Fletcher should not have demanded, and why the Council of Connecticut refused last year, the despatch

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of one hundred and twenty men to Albany. (1) It was impossible to raise so many soldiers proportionally out of the several towns, some of which are over sixty miles from others, and to send them in so short a time as was expected to Albany, which is over 200 miles distant. Also the provisions must have been transported to Albany by water, which is 400 miles. (2) About the time when Governor Fletcher made his application, the Government of Connecticut received advice of an invasion of their own borders by the enemy, several persons, both English and Indians, being slain and further dangers threatened. It was therefore necessary to send a company of men for their own defence and preservation, there being apprehensions that Connecticut was in greater danger than New York. (3) The supply was required by Governor Fletcher when the Colony was suffering from great want of provisions, the corn and grain being generally blasted and arms and ammunition being procurable only at excessive rates, viz. gunpowder at £15 per barrel. (4) The Government of Connecticut had reasons to conclude that the supply would have been useless, since by Governor Fletcher's advice the enemy were within a few days' march of Albany, and the soldiers when raised could not march so far in less than eight or nine days, before which time it was very probable that the enemy would have retired or effected their design. Moreover the Government of Connecticut had notice that 200 friendly Indians had passed the lake to fall upon the enemy, which force the Government of Connecticut thought sufficient to divert them. (5) The circumstances of the Colony were such as to render it wholly unable to support the expense of so many soldiers at so great a distance for as long as nine months, before the end of which time the soldiers were not to be released. Had the supply been sent as requested the Colony would have been destitute of necessary and proper defence. (6) The Government of Connecticut received a letter from the late Queen declaring that Governor Fletcher had orders to ask for a quota not exceeding 120 men, when necessary, but with special directions to draw no larger proportion from Connecticut than he should draw from the other Colonies. The Government therefore conceived that they were not obliged to send 120 men, or their whole quota, since they had no advice that any part, much less the whole, of the quotas of other Colonies had been drawn out. If they had sent the men, as required, the other Colonies would have been freed and Connecticut would have borne the whole charge of assisting New York. (7) The Government of Connecticut have at all times been ready to help New York, and sent a company of soldiers to that province, of whom the lieutenant and others were killed. The cost was about £680. On other occasions the Government of Connecticut raised soldiers for New York which cost £100. In 1694 they sent Governor Fletcher £600, and in August of that year despatched at his request sixty soldiers to Albany, while he was treating with the Five Nations. The charge came to over £500. The Government was still ready in conjunction and proportion with the other Colonies to have assisted New York; but the quota being so great, and being demanded when the province rather wanted than could give assistance, and when it was labouring under great mischief, the

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Government thought they were not wanting in their duty when they refused to comply with Governor Fletcher's demand—a demand which had been made by no previous Governor of New York. The Government of Connecticut therefore submit that Governor Fletcher exceeded his instructions and that his demand was unreasonable, and they beg the Lords of Trade, of their wisdom and their sense of the great oppression of Connecticut in this matter, to give orders to restrain the present and future Governors of New York from making demands upon Connecticut, which will be very difficult and chargeable to comply with. 1½ *large pages. Endorsed*, Read 11 Sept. 1696. [*Board of Trade.* New England, 8. *No.* 24; *and* 36. *pp.* 33-36.]

Sept. 11. **204.** Journal of Council of Trade and Plantations. The Agents for the Leeward Islands presented memorials on the subject of convoys (*see Nos.* 199, 201). Mr. Micaiah Perry did the like in respect of Virginia and Maryland (*see No.* 202). The Secretary was ordered to draw up a representation as to the latter.

Major-General Winthrop presented a memorial as to the quota.

Sir Henry Ashurst attending, said that Governor Fletcher's government was grievous to Massachusetts, and begged the Council to hear Leisler and Gouverneur concerning New York. He was then desired to draft instructions for the Commissioners to enquire as to Naval stores. The Agents for New York were desired to attend to-morrow.

Sept. 12. Mr. Brooke and Mr. Nicoll attended and gave an account of the arrangements necessary for an attack on Canada, also some account of the administration and condition of New York. The Secretary was ordered to write to the Admiralty as to the Virginia convoy. [*Board of Trade.* Journal, 9. *pp.* 97-103.]

Sept. 12. Whitehall. **205.** William Popple to William Bridgeman. Desiring to know the orders that were given to the convoy that left England for Virginia in May last, in reference to the time of their stay in that country. [*Board of Trade.* Virginia, 37. *p.* 11.]

Sept. 14. **206.** Minutes of Council of Jamaica. Account of expenses incurred for the King's stores brought up and referred for audit; and order given for an inventory of the stores to be prepared. Orders for payments on account of negroes lost by Captain Hanger while fighting against the rebellious negroes, on account of fortifications and for other items. [*Board of Trade.* Jamaica, 79. *pp.* 31-32.]

Sept. 14. **207.** Journal of Council of Trade and Plantations. Order for Mr. Nelson to be summoned to attend the Board, as recommended by the New York Agents.

Mr. Littleton gave information as to the convoys to Barbados. The Chancellor of the Exchequer delivered letters from Sir E. Andros of 27 June, from Governor Fletcher of 30 May, and from Colonel van Cortlandt of 29 May, all addressed to Mr. Blathwayt. [*Board of Trade.* Journal, 9. *pp.* 103-106.]

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[Sept. 14.] **208.** Abstract of the accounts of the revenue of Virginia. The account of the 2*s.* per hogshead and port duties.

	£	*s.*	*d.*
Discharge [Payments]	4,862	6	6
Charge [Receipts]	1,527	0	9½
Balance due to the Receiver	3,335	5	8½
	£4,862	6	6

Mem.—This revenue is usually worth £2,500 per annum, but the London fleet not arriving before the audit this year, it falls short.

Account of quit-rents of 2*s.* for every hundred acres.

	£	*s.*	*d.*
Charge [Receipts]	3,986	10	7½
Discharge [Payments]	499	19	4½
Balance due to the King...	3,786	11	3
	£3,986	10	7½

No money can be issued from this revenue but by the King's warrant. 1 *p. Endorsed*, Sent to the Board by Mr. Povey. 14 Sept. 1696. [*Board of Trade.* Virginia, 6. *No.* 7.]

Sept. 14. **209.** Minutes of Council of Barbados. A bill for repeal of the Mole-money was amended and returned to the Assembly. Writs for the election of two Assemblymen returned, and the new members sworn. Order that none but General Officers hold two commission-offices in the militia at the same time.

Sept. 15. Order for stationing the guards of the late Governor's regiment. Order for Colonel Bishop, who has accepted a captaincy in the late Governor's regiment, to give up the colonelcy of his regiment of horse. [*Board of Trade.* Barbados, 65. *pp.* 140-141.]

Sept. 15. **210.** List of the laws of Massachusetts sent to the Attorney and Solicitor-General on 15 September, 1696. *Scrap.* [*Board of Trade.* New England, 36. *pp.* 37-38.]

Sept. 15. **211.** Endorsement of a copy of this list. *Scrap.* [*Board of Trade.* New England, 8. *No.* 25.]

Sept. 15. **212.** Docket of a list of laws of the Leeward Islands sent to the Attorney and Solicitor-General for their opinion. *Scrap.*

The list of the laws sent is given in *Board of Trade.* Leeward Islands, 45. *pp.* 11-12. [*Board of Trade.* Leeward Islands, 5. *No.* 9.]

Sept. 15. **213.** List of Laws of Jamaica, passed between 4 March and 1 August, 1695, and sent to the Law-officers for their opinion. [*Board of Trade.* Jamaica, 56. *p.* 1.]

Docket of the list aforesaid. 1 *p.* [*Board of Trade.* Jamaica, 8. *No.* 16.]

Sept. 15. **214.** A list of several Acts of the Leeward Islands, Jamaica, Maryland and Massachusetts, which were forwarded to the Attorney

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and Solicitor-General on 13 September, 1696, for their opinion. 4½ *pp.* [*Board of Trade.* Plantations General, 4. *No.* 9; *and* 34. *pp.* 36-42.]

Sept. 15. **215.** William Popple to the Attorney and Solicitor-General. Forwarding the Acts mentioned in the preceding abstract for their report. [*Board of Trade.* Plantations General, 34. *p.* 36.]

Sept. 15. **216.** Minutes of Assembly of Nevis. The Association for defence of King William was signed by the Council and Assembly, the former signing having been irregular. The Assembly sent messages as to framing articles of war, regulating alarm posts, and removing French prisoners, to which the Council refused to reply. A letter from Thomas Weaver, reporting his presentation of the Assembly's address to the Governor at Antigua was read. Thanks were voted to the gentlemen who presented it. The Assembly resolved itself into a Committee of the whole, to meet from time to time for the good of the country. [*Board of Trade.* Leeward Islands, 64. *pp.* 386-388.]

Sept. 15. **217.** Memorandum of the Council of New York. Robert Livingston tendered his commission, which was read, when several of the Council objected that the allegations on which he had obtained it were false, and that he is an alien born. The matter was then considered in Committee of the whole Council, and the following report was adopted. We have considered the King's Commission confirming Robert Livingston in his former offices and granting him a salary of £100 a year as Agent with the Indians. We would point out that as Collector of Excise, Town Clerk of Albany and Clerk of the Peace and Common Pleas Robert Livingston has been sufficiently rewarded by the fees and perquisites attached to those offices, insomuch that he has attained to a very considerable estate and has risen from nothing to be one of the richest men in the province. The office of Receiver of quit-rents has always been performed by the sheriffs. As to the office of Agent or Secretary with the Indians, there never has been any such agent or secretary, all treaties with the Indians having been conducted by the Governors in person, or in small matters by the commanding officer or magistrate at Albany, acting under special directions. All that Mr. Livingston can pretend to have done there is to translate from Dutch into English all that passed at the conferences, which for more than forty years has been the duty of the Town Clerk at Albany. Livingston was never put on any public message nor had even any power of agency to treat with the Indians, having no knowledge of their language nor influence with the Indians, and being therefore incapable of rendering any service in return for his salary, which amounts to three fourths of the whole revenue of Albany and will fall heavy on that poor province. The King's revenues are partly impaired by the present war, which has occasioned sundry extraordinary expenses, so that it will not now defray the contingent emergencies thereof and those moderate salaries settled on officers whom the Government cannot want and who are many of them in arrear. We would also represent that Robert Livingston is an alien, born of Scotch parents in Rotterdam, and no

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native born subject of any of the King's dominions, and is consequently disabled from holding any place of trust relating to the Treasury by the Act lately passed in England to prevent frauds and regulate abuses in the Plantation trade. We think that this report should be laid before the King, and that meanwhile Livingston should be suspended of the said salary and of acting as Agent with the Indians except as Town Clerk of Albany till the King's pleasure be known. *Signed*, S. V. Cortlandt, N. Bayard, Wm. Pinhorne, G. Minivelle, Wm. Smith, Caleb Heathcote, Fredryck Flypse. 2½ *pp.* *Endorsed*, Recd. 9th, Read 24th Dec. 1696. *Annexed*,

217. 1. Answer of the Council of New York to the paper called the case of Robert Livingston, annexed to his petition to the Lords of Trade and Plantations. He, Livingston, alleges that £561 is due to him for the victualling of two companies at Albany in the time of the late King James, and £200 more for support of the garrison at the time of the Revolution. He says also that the said £561 is included in Colonel van Cortlandt's order upon the additional duty. On examination we find but £491 so included; nor has Livingston actually disbursed that sum, great part of it being still owing to the brewer and others, to whom he always refused payment until he received it from the Crown. As for the £200 which he pretends to have ordered for the garrison at Albany, we are well assured that he has Major Schuyler's and Major Wessels's bonds for that money, he refusing otherwise to credit the Government, notwithstanding his pretended great disbursements. He then avers that the Governor has applied the whole of the additional duty otherwise than was appropriated by Act of Assembly, whereby Col. van Cortlandt remains unpaid and himself unsatisfied. Governor Fletcher as soon as he received orders for the payment of the officers and soldiers in 1688, recommended to the Assembly an additional duty to pay the debts of the Government; but the invasion of the Mohawks by the French in February, 1692-3, obliged him to embark for Albany in haste with 900 men, which notwithstanding the difficulty of the season he accomplished in two days. On his return the accounts for that expedition being brought in, wherein Mr. Livingston was chiefly concerned, Mr. Livingston was very pressing not only for that money but also for what was due to him on account of the fusiliers. As it was impossible to satisfy him by present payment he used his advantage to threaten to decline further victualling of the forces, knowing that the forces could not be otherwise provided for and that no money was in to be got into the Treasury. The Governor and Council were therefore, to prevent the sinking of the Government, obliged to pass an order that all the money in the hands of the Collector, for whatever purpose raised, should be used to supply the exigences of the frontier. This with the extraordinary charges of securing the

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Indians has run the Government £1,882 in debt to that duty, which is to be reimbursed as soon as the revenue is able. For Mr. Livingston's further satisfaction an order was passed empowering the Collector to reserve the arrears of taxes and account for the overplus, so that Mr. Livingstone is very unfair in charging the Government with action which was forced upon it by his importunity. Nor has one farthing of this or any other money sunk into the Governor's pocket, as is by some alleged. We are witnesses that not a penny of his salary has been drawn from the Collector except publicly in Council; and such methods of examining the accounts have been observed since the Governor's arrival so as to make any imposition on the Government impossible. It has also been alleged that the Assembly could not view the accounts of the Government, whereas the Governor has repeatedly pressed them to examine every detail.

Mr. Livingston then claims £388, New York money, advanced for the troops in 1688. It is well known that Governor Dongan took on himself the whole cost of that expedition, and, as we are informed, has since been paid in England. The £388 is consequently included therein and is no debt on this Government, and Mr. Livingston ought to account with Colonel Dongan and the officers for the same. And if this be all true (as we have reason to believe) the King is very much imposed on, not only in relation to this £388, but also because several of the troops included in Colonel Dongan's account were paid here by Lieutenant-Governor Nicholson in May, 1689, to the sum of £383; so that this sum has been twice paid by the Crown.

Mr. Livingston then claims to have advanced to this expedition of 1688 the sum of £2,172, New York money, for which he claims interest at eight *per cent.* We cannot understand how he could demand interest for that debt, Colonel Dongan's estate in Staten Island, which is worth twice as much, being mortgaged to him for the same. Having Colonel Dongan for his paymaster and his estate for his security, Mr. Livingston deals very unfairly with the Crown in requiring interest, especially at eight *per cent.* The legal rate of the province is but six *per cent.* and his debt arises not for money disbursed but for goods sold at 50 *per cent.* profit, and great part of them taken up on credit and not paid for. Then fourthly, Mr. Livingston alleges that he subsisted (which means only victualled) the King's forces at Albany from the Revolution until November, 1694, and for this claims £900. We find that Mr. Livingston victualled the companies for that time, not alone but in company with Colonel Van Cortlandt, who assures us that Governor Fletcher discharged the accounts of victualling due to them in his

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predecessors' time, that the accounts have since been cleared punctually every six months, and that at Mr. Livingston's departure from the province there was due to him but £396, both for the King's companies and for the militia, which the Governor at his request paid to his creditors, whose receipts can be produced. A more unjust assertion than Mr. Livingston's could not be thought of, since Colonel van Cortlandt and he (as can be proved under his own hand) have often said that they never were so well paid by any Governor. Mr. Livingston's denial of receipt of that £900 is therefore, we are sure, untrue, and maliciously designed against the credit of the Government. As to his fifth assertion respecting the powder taken from him by Jacob Leisler, we are satisfied that it is true. But others suffered more than he, the total loss thus sustained in New York being £13,959; and in this time of war we cannot relieve them, and indeed are apprehensive that the precedent of satisfying him may multiply claims.

Mr. Livingston then asserts that he has acted as Secretary and Agent with the Five Nations, as is proved by the memorials of the negotiations with them, without salary or recompense. There has never been any such officer. All negotiations have been performed by the Governor in person, or in unimportant cases by the Commander-in-chief or Magistrates at Albany, under the Governor's directions. No such directions have ever been addressed to Mr. Livingston, he having no knowledge of the Indian languages nor influence with the Indians. We submit that a Commission to negotiate with the Indians is an affair of too great moment to be entrusted to any private hand, for the Indians are so fickle that the least breach, if mismanaged, might cause great inconvenience not only to New York but to all the Colonies. We are of opinion too that his salaries, amounting to £180, New York money, will be a heavy burden and will swallow up all the revenue of Albany, hitherto applied to repair of the fortifications. Nor will Mr. Livingston do any service for his salary of Agent. He has never done more than take the minutes of the negotiations, which has often been done by private persons with the Governor. Nor is his post of Town Clerk as despicable as he represents it. Many people have petitioned for it, and as good men as he could be found to discharge it without salary. He then sets forth that he has performed the offices of Collector of Excise and receiver of quit rents at no more salary than £50. The salary amounts to a fifth part of that revenue; we think it more than sufficient and have seriously considered the lessening of it.

As to the paragraph setting forth his large disbursements for the Crown, and that, his public employments

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not affording him subsistence, he was forced to make a voyage to England, we are amazed that he can make such statements. When he first came to the Colony he was in such a condition that had he not obtained the place of Town Clerk at Albany he would have been forced to enlist as a private. Having served for some time as Town Clerk he received the posts of Collector and Receiver, and as he had the payment of all incidental expenses on the frontiers and paid them not in money (as he received it) but in goods, he had a considerable advantage. Colonel Dongan then confirmed him in his offices with the addition of victualling and paying the forces at Albany, by which, as he did so in goods, he much improved his fortune. The Governors also have from time to time given him valuable tracts of land. On Governor Sloughter's arrival he retained all his former offices and was further appointed a Commissary with a salary of £45 10*s*. 0*d*., with the advantage of paying all incidental expenses on the frontiers. This he did in goods at such extravagant rates as occasioned general complaint, so that in 1694 the Governor, in justice to the soldiers, issued a proclamation that the Captains would give the men tickets for any necessaries that they wanted before their pay became due, to such shops or merchants as they wished. Vast sums of money have passed through Mr. Livingston's hands since Governor Sloughter's arrival, amounting in all to £10,284, one tenth of which was paid not in money but in goods at thirty to fifty per cent. advance. It is not difficult to calculate his profits, so that he is believed to be one of the richest men in the Colony, both in real and personal estate. Much of his fortune he has made through the favour of the Governor and in particular of Governor Fletcher, in whose time he has had no arrears to demand, but has always been paid in full. He is therefore not only ungrateful but unjust in alleging that he has been reduced to great straits by his large disbursements for the Crown. He would never trust the honour of the Crown, but would always have private security for his advances to the public, as is abundantly proved. As to his petition that £761, with interest, may be paid him out of the additional duty, the Assembly has already made provision for the payment of all debts in proportion that are charged on that fund, so that preferable payment to Mr. Livingston will absolutely defeat the intent of the Act. Nor can interest be paid him out of that fund, as no provision has been made for it, and it would be a bad precedent. We have much greater claims for services done to the Government than Mr. Livingston's. The claim for £388 we have already dealt with, having proved that it has already been once paid. We have also dealt with the £1,670 advanced by him to Colonel

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Dongan, as also with the remainder of his claims. Thus we have answered Mr. Livingston's petition, and we hope that the King and the Lords will consider that the burden of his salary and interest may be removed, as it will be a great discouragement to gentlemen who have done greater services than Mr. Livingston to the Government, not only by daily labouring in the King's service but by travelling to all parts at great expense to themselves as well as by advancing money to the Government, without consideration of interest, and engaging their estates to Mr. Livingston and others without the least expectation of advantage. Mr. Livingston has never rendered any services that we know of or heard of, which did not tend to the advancement of his own fortune. *Signed.* N. Bayard, S. v. Cortlandt, Caleb Heathcote, John Lawrence, G. Minivelle, Wm. Pinhorne, Wm. Smith, John Willett. 9½ *pp.* *Endorsed*, Recd. 9th Dec. 1696. Read 24th.

217. II. Petition of Robert Livingston to the Governor and Council of New York. Having represented to the Lords of Trade and Plantations that the following sums were due to me for disbursements on behalf of the Government, viz. £527 for money advanced to the troops in the late King's time, £233 expended for the garrison at Albany at the Revolution, £388 advanced for the troops in 1687 —the Lords ordered that those sums should be reimbursed to me, preferably out of the revenue received under the Act of 1693 for paying the public debts. I produce the vouchers, and beg that they may be examined, and that warrants may be issued for payment to me according to the orders from Whitehall. I am informed that a further sum of £900 claimed by me has been paid to the Treasurer since my departure, so I say no more as to that.

Report of the Council of New York on the foregoing petition. We have examined the allegations in Mr. Livingston's petition. For the sum of £527 he shows a certificate under Colonel van Cortlandt's hand, which will be paid as soon as he receives it. For the remaining £37 he produces bills and bonds from Lieutenant Sharp and some of the soldiers to the value of that sum, which were debts bought of them after Governor Sloughter's accounts had been made up and passed. The Lieutenant and soldiers having already orders for their full pay, some of which are assigned to others, this sum cannot be allowed to Mr. Livingston. As to the sum of £233 it seems that he has the sum of £200 in the Albany accounts, which will be paid to him as the Act directs. The £33 appears to be a debt bought from another party, and is likewise included in the Albany account. He shows an order from the King that he shall be paid preferably to all others if his allegations be true. In our

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opinion the said allegations are not all true, and since warrants are already granted to sundry officers, in which the said sums are included and part of the money already paid, and since the Act made in April last sets forth in detail under special rules the sums which are to be paid out of that fund, we are of opinion that the Governor cannot legally derogate from the rules but should submit the matter for the King's further consideration. As to the £388, he produces vouchers and certificates signed by several officers for that sum; but since Governor Dongan took upon him the whole charge of that expedition, and £1,016 was paid to him in that account, and £383 more paid to the troopers and soldiers, and part or the whole of the remainder has (as we are informed) been paid to Colonel Dongan in England, we think this article cannot be allowed without further examination, and that it should be recommended to the consideration of the Assembly. As to the £900 which Mr. Livingston now acknowledges to have received, we find that only £396 was due to him at his departure, and £544 to Colonel van Cortlandt. We also find that at his departure the Governor undertook to pay the same to one of his creditors and to Colonel van Cortlandt, which was accordingly done. So that when Mr. Livingston claimed that £900 there was not one farthing due to him for victualling from Colonel Sloughter's arrival until that time. We beg that this report may be forwarded to the King and to the Lords of Trade and Plantations. *Signed*, N. Bayard, Frederyck Flypse, Caleb Heathcote, G. Minivelle, Wm. Pinhorne, Wm. Smith, S. v. Cortlandt. 4¼ *pp.* *Endorsed as No.* 1.

217. III. The Council of New York to Lords of Trade and Plantations. 2 August, 1696. Having been acquainted of several depositions taken against Governor Fletcher, we beg to certify as follows. Since his arrival we have had frequent and weekly meetings in Council with full freedom of debate. He established a new method for payment of public moneys by warrant passed in Council; and all accounts of incidental expenses are examined by a committee before the warrants pass. He has at all times taken our advice in the adjourning, proroguing and dissolving of the Assembly, and in many other things wherein our consent is not required. We do not know that he has been any ways concerned in the choosing of members of Assembly except by recommending us to use our influence to persuade the people to choose honest and well-affected men, who will regard the security of the frontiers and be instrumental in raising a sufficient fund to ensure it. He never in the least urged anything upon the Assembly

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for his private advantage, and we must justify him in the disposition of all public money by our advice and consent. We can give many instances of his care and vigilance for the defence of the Province, especially on the frontiers. He has made many repairs for the forts, and when the funds voted by the Assembly for erection of the chapel in the fort at New York proved insufficient, he advanced over £300 from his own pocket and declared that he would have neither interest nor profit. He has by all our observation been an encourager of virtue and discountenancer of vice. By his encouragement an English church of stone, with a steeple, is erecting by voluntary contributions: we have had none in the Province hitherto. He has always been as easy of access to the poor as to the rich, early and constant in business, regular in his life, observant of his promise, punctual in all payments for the necessaries of his family and the victualling of the Companies, so that the tradesmen make interest for his custom and employment. He has taken much pains to unite the people and remove the heats and animosities of parties. He had the disadvantage of coming to a province which gives him abundance of care and business, being the frontier to Canada; where the revenue was much anticipated, the fortifications much out of order, many old debts to pay, and the people harassed with detachments and levies for defence of the frontier. The people are the more backward and uneasy, since their neighbours, who share with them protection, will contribute nothing to our defence but grow by our calamities, having got great part of our trade and people. We are thankful to the King for appointing a gentleman of Governor Fletcher's worth and honour, and we pray that we may be believed in this declaration, which is from our hearts. *Signed*, N. Bayard, G. Minivelle, Wm. Pinhorne, S. v. Cortlandt, Caleb Heathcote, John Lawrence, Wm. Smith, Thomas Willett. 3 *pp.* *Endorsed as No.* I. [*Board of Trade.* New York, 6. *Nos.* 57, 57 I.-III.]

Sept. 16. Boston. **218.** The Secretary of Massachusetts to William Blathwayt. Herewith I send duplicates of the Minutes of Council, Journal of Assembly, and of Acts; also further Minutes of Council from 25 March to 9th September past, Journal of Assembly at the session begun on 27 May last, the laws then passed, and the Treasurer's accounts from May, 1695, to May, 1696. The General Assembly met upon adjournment to-day, and I expect will send their address to the King by this fleet. *Signed*, Isa. Addington. 1 *p.* *Endorsed*, Recd., Read 30 Nov., 1696. [*Board of Trade.* New England, 8. *No.* 26; *and* 36. *pp.* 60-61.]

Sept. 16. **219.** Journal of Council of Trade and Plantations. The Secretary shewed lists of the Acts of the Colonies now lying before the law-officers.

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Mr. Leisler and Mr. Gouverneur offered themselves to give information as to New York, and strongly denounced Governor Fletcher, especially for his interference in the matter of the elections. They then gave further information as to New York and were ordered to state the same in writing, but to insert nothing that they could not justify.

Mr. John Nelson gave an account of French aggression and of the means for taking Canada, which he promised to put into writing.

Sept. 17. Governor Fletcher's letter of 27 June read, also his letter to Mr. Blathwayt of 30 May (*see No.* 14). The Secretary was ordered to draft a letter in reply.

Sept. 18. Major-General Winthrop delivered a map of the rivers from Albany to Cadaraqui and a journal of his marches towards Quebec in 1690.

The Jamaica merchants presented a paper of proposals as to convoys (*No.* 233) which was read. They also added several details as to the evils of removing the King's ships from under the Governor's authority, the ill results of impressment, the depopulated state of the Island and the dearness of wages.

Mr. Heathcote then stayed to give a further account of the presents for the Five Nations and the subsistence of the King's forces in New York. [*Board of Trade.* Journal, 9. *pp.* 106-119.]

Sept. 16. **220.** Minutes of General Assembly of Massachusetts. Prayers were offered for God's blessing on the direction of public affairs and for the success of the expedition lately gone North. The day was spent in religious exercises.

Sept. 17. John Thacher sworn of the Council. The representatives attending, the Lieutenant-Governor acquainted them that he had received several letters from Whitehall, for confirmation or repeal of the laws of 1692, which should be laid before them; he also desired them to consider what applications they should make for the service of the province by address to the King or otherwise, and recommended the signing of the Association. Agreed that an address of congratulation to the King on his deliverance from the late conspiracy be drawn up.

Sept. 18. The Association was signed by the Lieutenant-Governor and Council. On a motion from the Representatives a Committee was appointed to prepare a Bill making temporary provision for the reviving of process in civil causes. The congratulatory Address to the King was read and agreed to. A conference fixed for this day was deferred to the 30th.

Sept. 19. The Lieutenant-Governor proposed that an Agent be sent to Whitehall to represent the state of the Province, which was debated. The late Act to establish Courts was read and debated. [*Board of Trade.* New England, 48. *pp.* 69-73.]

Sept. 16. **221.** Minutes of Council of Maryland. Proclamation for a day of thanksgiving for divers mercies. Nicholas Greenberry produced the royal pardon for Burley and Mason. On the news of a privateer lately entering the bay, the Governor and Council blamed the Governors of Carolina and New Providence for countenancing pirates and privateers.

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Sept. 17. John Courts's absence excused on the ground of his sickness, and that of Colonel Jowles on account of lameness. Report of Colonel David Brown that he had appointed Thomas Poynter to be Deputy-Collector and Naval Officer on the seaboard side of Somerset County.

Sept. 18. A short report of one of the Commanders of the rangers read. Ordered that he give more particular account of all their doings. Four ex-sheriffs summoned to answer for neglect of the Council's orders as to supernumerary tithables, and order given that the sheriffs obtain a list of tithables signed by the head of every family, when they go to collect the levy. Order that ships be no longer appraised on seizure, but that they lie under seizure until condemned, as the appraisement is generally undervalued. [*Board of Trade.* Maryland, 13. *pp.* 143-148.]

Sept. 16. **222.** Journal of House of Burgesses of Maryland. Sixteen members only present. Adjourned until to-morrow.

Sept. 17. Major Edward Dorsey obtained leave of absence to take care of the warlike stores from England, now on board a ship.

Sept. 18. A new writ asked for to elect a member instead of Robert Mason, who produced the King's Commission as High Sheriff of St. Mary's County. Committee of elections and of privileges appointed, which reported as to newly elected members. A member elected in place of a member who was gone to England was discharged, the absent member's seat being not vacated. The new members sworn. Message to the Governor. We have received your intimation that Lieutenant-Colonel John Coode is a priest and incapable of sitting in our house. We would acquaint you that he is duly elected, and has sat in the General Assembly for almost twenty years together. He also holds several commissions for various offices from the King and Lord Baltimore. We humbly conceive that we are the proper judges of our own members, and have resolved that John Coode is duly qualified as a member. *Message ends.* Message from the Governor and Council. We admire that the House which sits by the King's Commission can at this time of day adduce precedents from Lord Baltimore's time, considering that irregular proceedings were the chief cause for overthrow of his Government. We would ask whether Mr. John Hewett was not disallowed, as being a clergyman, since the King's government, and we must require the opinion of the lawyers on the point. *Message ends.* Sir Thomas Laurence reported that he was ready to give the House an account of affairs in England. Resolved that no further business be proceeded with till the affair concerning Colonel Coode be determined.

Sept. 19. After reading the journals of yesterday the House adjourned. [*America and West Indies.* 557. *No.* 17.]

Sept. 16. **223.** Minutes of Council of Maryland in Assembly. Several letters from the authorities in England of various departments were ordered to be laid before the Burgesses, including the Order in Council of 4 January for disallowance of several Acts, as well as other documents emanating from Maryland.

Sept. 17. Several proposals to be laid before the Burgesses were read. In reply to a message announcing the arrival of warlike stores from England, the Burgesses appointed one of their number to look to them.

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Sept. 18. Application being made to the Governor for members of Council to swear newly-elected burgesses, the Governor took notice that one of them, John Coode, was a priest, and therefore not qualified. Messages from and to the Burgesses on the subject of John Coode. (*See preceding abstract.*) The Governor summoned all the lawyers in town to attend the Council that night, who reported that clerks in orders being ineligible for the House of Commons were so likewise in the House of Burgesses, and that orders are indelible but by the authority by whom they were conferred. A resolution of the Burgesses to sit from nine till four daily was received (*p.* 123).

Sept. 19. The lawyers' opinion was sent down to the Burgesses, who were found to have risen. [*Board of Trade.* Maryland, 14. *pp.* 115-119.]

Sept. 17. **224.** Minutes of Council of Jamaica. The Governor acquainted the Council with intelligence that had reached him from the Spaniards, that the French had forty sail of ships and men-of-war cruising before Havana, and designing thence to Martinique in June, to join twelve men-of-war and twelve victuallers which were expected from France, with intention to come down and destroy Jamaica, bombard Carthagena and Porto Bello and destroy the galleons in those ports; which reports agreed with others brought from St. Domingo by prisoners. He then asked the Council's advice thereupon, who answered as follows: We think that a duplicate of our minutes of 20 July last should be sent to England by an express, and that the King and Council be begged to hasten the sending of recruits and of the two fire-ships therein requested, also to send six mortars of thirteen or fourteen inches diameter, with carriages and ammunition, also fifteen hundred swords and bayonets for foot-soldiers and five hundred swords for horsemen, without which support there is no prospect of saving the Island if the French pursue their design. It should also be represented that fifty-gun ships are set out in Europe with crews of from 230 to 240 men, but when they are sent here, where some men die and more run away, they are not allowed more than 180 men, and commonly bring even fewer. They then stay here sometimes for two years without recruits, and so are rendered almost useless for the King's service or for defence of the Island. *Signed,* John Bourden, Edw. Broughton, Peter Heywood, Charles Knight, Rich. Lloyd, Rich. Dawkins, Nicholas Lawes, Pe. Beckford, Char. Chaplin, Tho. Ayscough. Orders for payment of salaries. [*Board of Trade.* Jamaica, 79. *pp.* 32-33.]

Sept. 17. New York. **225.** Governor Fletcher to William Blathwayt. Mr. Livingston has presented to me a petition in Council, with the King's order for the satisfaction of his just claims and demands, as represented by the Lords of the Committee; their Lordships having represented that if the Governor and Council hold the petitioner's allegations to be true, he shall be reimbursed preferably before all others. It likewise appearing that all the sums he claimed (except £900 which he claimed from me and which he now acknowledges is paid him) were debts contracted by the Government long before my arrival in the province, I committed the matter to those of the Council who are best acquainted with the former transactions. They have made their report, which is transmitted to Messrs. Brooke

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and Nicolls, to be laid before the King and the Committee. Mr. Livingston has also tendered to me in Council a Commission to confirm him in his former offices and salaries, and also in his office of Agent with the Indians, to which the Council moved that they had sundry objections to make against Mr. Livingston or any single person officiating as Agent with the Five Nations, and against the salary of £100, which are likewise put in writing and transmitted. *Signed*, Ben. Fletcher. 1½ *pp. Endorsed*, Recd. Read 30 Nov., 1696. Answered 1 Feb., 1696-7. [*Board of Trade.* New York, 6. *No.* 58; *and* 52. *pp.* 42-48.]

Sept. 17. New York. **226.** Governor Fletcher to Lords of Trade and Plantations. A small party of River Indians has returned since my last with one prisoner and the scalp of a soldier. About ten days ago a skulking party of French Indians killed one man and wounded another near Senectady. A party of the Upper Nations returning from Canada met the French army on their retreat, fell upon a party in their rear and killed several of them. They were hotly pursued, but escaped. The Onandagas are returned and have sent to desire me to meet the Five Nations at Albany immediately. I am just about to embark. I have added considerably to the presents sent by the King on this occasion, and hope to rivet the Indians to the King's interest. I take with me shirts, coats and shoes for the companies to the value of £500, which was given them by the Assembly for their encouragement. I have issued a proclamation prohibiting any Indian corn or pease to be brought down the river until April next, that the Indians may be first supplied in their extremity. Since my last arrival from Albany a ship from Jamaica arrived here, which with six other sail was captured off Hispaniola by a French squadron. While bound for France under convoy of a small French privateer they were dispersed by a storm and most of them dismasted. This ship being driven upon this coast was piloted into harbour, the captain being dead and no other officer aboard. Upon survey she is reported to be worth £8,000 with her cargo. Ten Frenchmen who were on board I have sent away to be exchanged as prisoners of war. They report that the Naval squadron has taken a galleon worth 900,000 pieces-of-eight. They were before St. Domingo and threw some bombs, but were beat off. They were upon the coast of Jamaica, and I have heard no more of them. Two French men-of-war have infested the coast of New England and taken a galley and the post of Pemaquid. The Lieutenant-Governor tells me that he learns from released prisoners that the Governor of Canada has positive orders to attack Albany. I shall not be wanting in my duty, but I cannot obtain a man from Connecticut, the Jerseys or Pennsylvania. A French "banker" was recently taken here and condemned, being appraised at £350. I shall duly account for the King's tenths. I send the Minutes of Council, and Acts, also a copy of Mr. Livingston's petition and the opinion of the Council thereupon, which with all other matters will be represented to you by Mr. Nicolls and Mr. Brooke. I beg for stores of war and punctual payment of the companies. *Signed.* Ben Fletcher. 3 *pp. Endorsed*:—Recd. 30 Nov. Read 7 Dec. 1696. Answd. 1 Feb. 1696-7. [*Board of Trade.* New York, 6. *No.* 59; *and* 52. *pp.* 48-50.]

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Sept. 17. **227**. Minutes of Council and Assembly of Antigua. Colonel Henry Holt was sworn of the Council.
Sept. 18. Adjourned to 1 October. [*Board of Trade.* Leeward Islands, 64. *p.* 182.]

Sept. 18. New York. **228**. Governor Fletcher to William Blathwayt. I am not willing to take up much of your time with my scurvy scribbles, having said all that occurs to my thoughts in this hasty call from the Five Nations, who have been driven from their wooden castles by the French and are returned. They desire to see me at Albany in a very short warning, and I am now ready to step on board. The French Count of Canada has made but a very silly business of it after three years' preparation, afrighting a few naked Indians only. By this he shows them his strength and his mercy, being recruited this summer from France. He told all that he took prisoners that his business was to bring them under the protection of his master, but not to destroy them. Our chief Sachems would not be persuaded to stay and treat, but fled, seeing his force, and are now returned. I hope to rivet them in their allegiance by the presents from the King and an addition from this province, but yet I want the most cogent arguments—a good body of men. I have always said, and insist on it, that five hundred is the least that can be thought a sufficient guard for the frontiers. But not one man could I get, after repeated applications, from the neighbouring Colonies, when I had intelligence that the French Count was marching on Albany with three thousand French and Indians. I was obliged to hasten up thither with a detachment of my own, where I had no other force but the three companies in the King's pay. The Count civilly retreated, though I am informed from Boston that the French captains, who with the Indians took Pemaquid, say the French King had sent positive orders to the Governor of Canada to take Albany without that exception, if he could get it. But I am under hard circumstances—no stores of war sent from England and no assistance from our neighbours embarked in the same bottom, which I beg you to represent to the King and to the Committee. I have spoken to Mr. Povey of three lieutenants, who in effect deserted. They refused to serve and gave me their resignations. I immediately filled their places, pending signification of the King's pleasure. I desired the Council to consider and report of Mr. Livingston's affair, being unwilling to be present in their debates lest it should be supposed that I influenced them, which I am sure I would not endeavour, though he has done me much wrong there. The papers will be sent after I am gone to Albany. Livingston has many relations and countrymen here. I will allow them to be judges. *Signed*, Ben. Fletcher. *Holograph.* 2 *pp. Endorsed*, Recd. Read 30 Nov. 1696. Answered 1 Feb. 1696-7. [*Board of Trade.* New York, 6. *No.* 60; *and* 52. *pp.* 44, 45.]

[Sept. 18.] **229**. Major-General Winthrop's journal of his march from Albany towards Canada in 1690. Pursuant to orders from the Governor of Connecticut to command the forces designed against Canada I left Hartford on the 14th of July, 1690, and after seven days' tedious march through the difficult and almost impassable

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parts of the wilderness I arrived at Albany with the additional forces of Connecticut, Captain Joseph Fitch's and Captain Johnson's companies having been commanded thither some time before. Here I found the design against Canada poorly contrived and little prosecuted, all things confined and in no readiness or posture for marshalling the forces towards Canada, yet everyone disorderly projecting something about it. Here I found a great defect in the complement of the New York forces, not above 150 of the number engaged at New York on May 1st, which amounted to 400. On the 29th of July the Rev. Mr. Walker of Woodbery, who accompanied me by the Governor's desire to preach to the Army, and Mr. Chancy, chaplain to the forces, sent before me, returned to Connecticut with my letters to the Governor to report the difficulty of our affairs and the increase of small-pox in the army, many being dead in the several companies. On the 30th of July I gave orders to the three companies of Connecticut and a company of their Indians to march to the flats about four miles from Albany, the Dutch companies being two days' march before them. They made their way north and north-by-east. *Aug.* 1. Early in the morning I followed the army and quartered for the night at a place called Stillwater, so named because the water passeth so slowly as not to be discerned, yet at a little distance above and below is disturbed and rageth as in a great sea, which is occasioned by great rocks and great falls therein. We made our way north and north-by-east. *Aug.* 2. We marched forward and were overtaken by a post with letters from the Governors of Boston and Connecticut, signifying the readiness of the fleet to sail towards Canada, and quartered this night at a place called Saratogo, about fifty miles from Albany, where is a blockhouse and some of the Dutch soldiers. Here I overtook Mr. Wessells, Recorder of Albany, and a company of the principal gentlemen volunteers of that city. At this post I received letters from the Mayor of Albany, then up in the country, that canoes were making for the army. Thus far the way has been very good, only four great wading-places, one of them dangerous both for horse and man. This day I sent Captain Nicolls with some horse to Albany to hasten our provision. Our course north-east and by north. *Aug.* 3. We still continue here by the side of the Hudson's River, where it is fordable, and had notice that our provision was coming up to us part of the way in waggons, and then in canoes. *Aug.* 4. I consulted with the officers, and it was concluded to march forward; and then we divided our provision, which was about thirty-five cakes of bread for each soldier, besides pork, which was scarce eatable. At this post I left Lieutenant Thomas Avery with some soldiers to guard our provision to us, which was coming up the river. From this place the burgers and Dutch soldiers carried their provisions up the river in birch canoes and the English soldiers theirs on horses, there being no more canoes. We marched eight miles this day and quartered near the Dutch companies at the little carrying-place, where the water passeth so violently, by reason of the great falls and rocks, that canoes cannot pass. So the men were obliged to carry their canoes and provisions on their backs a pretty way to a passable part of the river. Our course north-by-east. *Aug.* 5.

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The English soldiers marched with their provision on horses to the great carrying-place, about eight miles from the little carrying-place, where we overtook the Dutch companies carrying their canoes and provisions over the great carrying-place on their backs about twelve miles, a very bad and difficult passing. This hardship the Dutch soldiers performed vigorously and without any repining, which made me think nothing would be difficult for them to perform. Our way this day was a continued swamp, abounding with exceeding tall white pine, fit to mast any ship. No grass for our horses this day; our course has been north. *Aug.* 6. We marched over the carrying-place, about twelve miles, and encamped on a branch of Wood Creek, called the Folk, that leads into the lake and is accounted part of the lake water, as it constantly payeth its tribute. In this creek canoes pass into the lake called Corlaer's Lake, and so to Montreal and thence to Quebec. Our way a continued swamp of stately white pine. From this place horses can pass no further. Our course this day east-north-east. *Aug.* 7. I sent thirty horses under Ensign Thomlinson to Saratogo for more provision, and leaving the forces at this place under the care of Captain Nicolls I passed down the river, taking Captain Fitch and Captain Prentis with me, and two files of musketeers in birch canoes, managed by some of the burgers, while the new New England Indians marched by the riverside under Captain Stanton, to the Wood Creek or Houtkill. Here I had intercourse with the Mayor of Albany, the burgers and the Maquas' captains. I encamped on the north side of Wood Creek. Our course this day north-east. *Aug.* 8. I called a council of war and treated with the Maquas' sachems and chief captains, and delivered to them that I was sent hither by all the Governments of New England for Their Majesties' service against the French and Indian enemies, and was charged to remind them of the ancient friendship between the English and the Five Nations, and that I now asked for their advice as to the best way to prosecute the war against Canada. On this they separated and consulted for a considerable time, when they answered by a chief of each nation that they had considered the proposition, and left it wholly to ourselves to order about it. It was then thought by the Council of War that this answer did not sufficiently engage them in the design against Canada. It was further proposed to them to give advice what number it would be proper to send out as scouts to find the other natives, who were to meet at Fort La Motte. They answered upon long consideration that they advised the whole army to march, which did not appear possible to the Council of War. *Aug.* 9. We still encamp here, where Captain Johnson returned to me, whom some days since I sent to Albany to press the commissaries for a further supply of provision. My letters from the Commissioners of Albany assure me that provision is not to be had upon the place. Captain Johnson also gave me an account that on his leaving Albany a Dutch soldier came from Arnout, the interpreter, who was then up in the Senecas' country and was to go with them and the other natives to Fort La Motte, saying that by reason of the small-pox, so general among them, they could not comply with their promise of so many hundred soldiers, that the great God had stopped their way—which

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was the expression they used. This news did alike dishearten the burgers, who freely offered themselves in the design; but having no letter from the Commissioners at Albany of this matter I dispatched an express immediately to know further therein. *Aug.* 10. I am informed that the soldiers which I left at the fork, about twelve miles distant, are taken sick daily. *Aug.* 11. I desired the Mayor of Albany, a person of the greatest interest with the Indians, to take with him a company of the burgers, the chief captains of the Maquas and fifteen of the New England Indians to go six miles down the river to try if more canoes cannot be made. This day I sent the Dutch doctor to visit the soldiers which I left at the fork, who tells me that Lieutenant Hubble is sick of the small-pox and others likely to be taken, and that some are sick of other distempers. *Aug.* 12. A very rainy day. About five o'clock in the afternoon I received letters by express from the Governor of Connecticut and the Commissioners at Albany, confirming the report of Arnout's return from the Upper Nations. *Aug.* 13. I sent for the Mayor and the Maquas' captains from below the river, the time being so far spent that the bark would not peel, so that no more canoes could be made. On his return I called a Council of War, most of my officers being present, and the chief captains of the Maquas, to whom I mentioned as is written in a paper the same day. *Aug.* 14. We discoursed further with the great Captains of the Maquas. The account thereof is written in a paper of the same day. *Aug.* 15. This day finding no possibility of getting provision to support the forces here any longer, that there were not canoes to transport half the Christians, and that we could not by any means at this post alarm or spoil the enemy, it was thought most advisable to return with the army, having first given orders to the Mayor's brother, Johannes Schuyler, a man of great value to the Indians, to take forty Christians and one hundred of the Maquas, Skatchkooks and River Indians, and enter the enemy's country, and so to La Prairie de Madeleine, one of the nearest places where we could expect to surprise any of the enemy. This afternoon, having first dispatched Captain Schuyler with such provisions as we could spare, we returned to the fork, and the doctor having taken the best care possible to remove Lieutenant Hubble and the sick soldiers, we marched to the head of Wood Creek, and in the evening he died. *Aug.* 16. This morning we buried Lieutenant Hubble with all the respect we could, a very good and expert officer. After this ceremony we marched over the great carrying-place, twelve miles, with one of our soldiers, sick of the small-pox, upon a little frame carried by four soldiers at a time. *Aug.* 17. We marched to Saratoga, many of our soldiers being sick and lame. *Aug.* 18. We marched to the Half Moon, about ten miles from Albany. *Aug.* 19. Here I leave the forces under command of Captain Fitch and go myself to Albany to consider the most convenient safe quarters for the soldiers, the small-pox being yet in several places near the city. *Aug.* 20. I sent orders to Captain Fitch to march the forces on the south side of Hudson River to the Greenbush, within sight of the city. *Sept.* 2. Captain Johannes Schuyler returned to Albany with the party sent out from Wood Creek, having been to La Prairie de Madeleine. They killed twelve men and took fifteen men

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and four women prisoners. *Sept.* 3. I sent an express to the Governor of Connecticut to give an account hereof. *Sept.* 5. Having no post from Connecticut, and the season being very cold, and there being no shelter for the soldiers, who were poorly clothed, I sent Captain Nicolls to the Governor and Council for speedy orders. *Sept.* I have letters from the Governor and Council at Hartford with orders to march the forces of Connecticut to Hartford. 9 *pp.* *Endorsed*, Recd. Sept. 18, 1696. [*Board of Trade.* New York, 6. *No.* 61.]

Sept. 18. **230.** Minutes of Council of Barbados. Letter from Governor Codrington as to the designs of the French read. Last night on the news of six ships off the south of the Island four companies of militia were ordered on duty, and H.M.S. Jersey sent out to follow the ships. Order for distribution of fourteen field-guns and of fire arms, and for £100 to be disbursed for Oistin's fort. [*Board of Trade.* Barbados, 65. *pp.* 141-142.]

Sept. 18. **231.** Minutes of Council of Massachusetts. Order for payment of £6 to Thomas Newton for his service in defending the Constables of Little Compton in the Courts at Rhode Island. [*Board of Trade.* New England, 49. *p.* 49.]

Sept. 18. Jamaica. **232.** Governor Sir William Beeston to the Duke of Shrewsbury. About a week since a small Spanish vessel, sent express from Cuba to the President of St. Domingo, stopped here for water, the commander whereof gave a report as to the French, which I have enclosed to you, and added that the French had taken six laden ships from this Island. A Spanish ship of war of sixty guns fought the Hope a whole day and lost 150 men; but the next day, more French attacking her, she yielded. Also they have taken a very rich Spanish ship with money, Indian cochineal and other commodities of great value. The commander told me also they would not allow any prisoners aboard of their great ships, and believed the reason to be that many died out of those ships that came from Europe, and that one day many minute-guns were fired from all their ships, from which it is supposed that some great officer was dead. If it be true that they are so sickly, it may hinder their further attempts, but if they prosecute what they threaten there is great danger, particularly to Port Royal, *for our privateers, seamen and all our ordinary people are gone, which are the strength of the place, and this owing chiefly to the men-of-war pressing continually, which has frightened away many, while fear of the French has carried away others, and many die by their coming here at this time of year.* I have often represented the mischief that ensues to the King by the loss of his subjects and the disabling of his ships; and it is also ruinous to the merchants and the reputation of the Island. Still for four years now the men-of-war have chosen to arrive at the same time, to the great prejudice of all; for now many of the eminent merchants that came in the fleet are dead and the Princess Anne's men die so fast that they will not be able to go for England without recruits from thence. For it is impossible to obtain them now from hence, so decayed is this Island; nor is this to be laid on Jamaica only, for all parts of

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the West Indies are worse than this, and there even the inhabitants die, whereas here they are healthy enough who have been some time inured to the country. The rest would be as they, if they would contrive to arrive at any time between October and the end of March, that they might have some respite before the summer comes upon them. I beg that you will lay this before the King, and that if any succour be designed for the place some small vessel may be sent to give notice of it, which will much encourage those people who are left here, for they are much dejected to find the Island so deserted and so many enemies about us. *Signed*, Wm. Beeston. 1½ *pp. Endorsed*, Delivered to the Secretary by Mr. Vernon and read 3 Dec. 1696. Answd. 12 Feb. 1696-7. *Annexed*,

232. 1. Copy of the Minutes of the Council of Jamaica of 17 September, 1696, with original signatures of ten of the Council. (*See No.* 224.) 2 *pp. Endorsed*, Recd. and read, 3 Dec. 1696. [*Board of Trade.* Jamaica, 8. *Nos.* 17, 17 I.; *and* 56. *pp.* 51-53.]

[Sept. 18.] **233.** Proposals of the Jamaica merchants for the better carrying on and securing of that trade. We would propose that during the war the fleet for Jamaica should be every year at Gravesend, ready to sail about the 10th of December, and that a sufficient convoy of two if not three men-of-war be also ready to sail with them. Both merchant-ships and men-of-war should be very exact as to time, and then they will reach the Island at a healthy season. On their arrival the produce of the Island will be ready for shipment, their stay and voyage will be short, they can keep their convoy company, and they will probably be here in August or September, and so have the advantage of the northern markets before the winter. Hitherto, by the usual practice of sailing at unseasonable times, half the men have died of sickness by arriving there in the unhealthy seasons of May and September; and, coming home in the winter half-manned, part of our fleet have foundered for want of hands in the terrible winter storms, another part have been wrecked on the English and Irish coasts, and part have been separated from the convoy and taken by the French. The convoy was but one ship, which generally came in by itself. So if one fourth part escaped, we always thanked God, deeming it a miracle if any of the ships and goods did arrive; and then the goods which they brought for foreign markets were forced to wait until the spring, arriving too late in the year for the northern trades. We propose also that the men-of-war should carry with them supernumerary men, and be strictly ordered to press no men at or near the Island, for by pressing the seamen they disable the ships, which has been the ruin of many of them, some being eaten by the worm from long lying, while those that adventured home half-manned have been lost from want of hands. If they press away the people of the Island they do a mighty mischief to it and extremely discourage the people, who by the several invasions of the French, by their losses in the earthquake and by the great mortality which followed thereon are mightily depopulated and in a very weak condition. Instead therefore of rending away the few people

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that are left, we would ask the King to be at the charge of sending some men to strengthen the Island, or it will be in great danger of being lost, especially since the French are continually sending fresh supplies of men and of warlike stores to their settlements in Hispaniola, which lies to windward of Jamaica, and in twenty-four hours can make an invasion upon it and destroy one plantation after another, as is now their daily practice. It is hoped that the King will give orders to pay the passages of the men who may be procured to be sent thither. It is also a great mischief that the captains of the men-of-war have not been under the orders of the Governor, every captain, even of a sixth-rate or a fire-ship, huffing and hectoring the Governor and the whole Island as if each of those petty commanders was a little king, or at least governor of the place, acting as they pleased without all control. A little ship called the Swan, which last arrived from thence, pressed and brought away several of the inhabitants. Pressing has not only lost to the Island those who have been taken away but has frighted away five times as many more, part to Providence and other places, part to Curaçoa, some to the French at Petit Guavos, while a great many have turned pirates and gone to the Red Sea, etc. *Signed*, Gilbert Heathcote, *and by fifteen others.* 1½ *pp. Endorsed*, Read 18 Sept. 1696. [*Board of Trade.* Jamaica, 8. *No.* 18; *and* 56. *pp.* 2-4.]

[Sept. 18.] **234.** A collection of depositions and other papers taken in Jamaica, to shew the evils of the press-system carried on by the King's men-of-war. It appears that not only seamen were impressed almost before the merchantmen had dropped anchor on arriving from England, but that inhabitants of all descriptions, and even indentured servants were taken likewise, and that, not content with men, the officers would impress even the water-casks of the inhabitants. The bulk of the depositions bear date from 7 to 11 January, 1696. *The whole*, 24 *pp.* [*Board of Trade.* Jamaica, 8. *No.* 18 I.; *and* (*memorandum of date of presentation only*) 56. *p.* 5.]

Sept. 19. New York. **235.** Robert Livingston to William Blathwayt. I owe not a little to your favour for the despatch of my business in England and now take the boldness thankfully to acknowledge it. I am sorry to tell you that the King's commission for confirming me in my place and for granting me a salary is suspended by Governor Fletcher, for no cause assigned whereby I might make my own defence. It is an act without precedent, and the subjects in the plantations fall under great discouragements if upon their application to the King for relief against the arbitrary act of a Governor, it shall be in the Governor's power not only to deprive a man of his freehold, in a manner, but also to suspend the King's grant peremptorily without accusing the person of any misdemeanour or mismanagement of his office. I confess that this matter is so surprising that I could not be aware of it, but I am sure that, if this can be justified, the offices in Whitehall must abate in their credit. What was laid to me in Council on my laying before them the vouchers for my allegations in England I have answered as well as I can; and if I had had the justice done me of seeing the reasons

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which the Council gives to the Governor and desires to be laid before the Lords, I doubt not that I should have been able to lay their nakedness open and to shew that the Council proceeds more from prejudice than otherwise. But the man goes in danger to stumble who must grope in the dark for his way. My circumstances are in no measure changed since I received the King's grant, so that I conceive the contempt to the royal authority is greater than the abuse to me, it being founded on the solemn recommendation of the Lords of Trade and of the Treasury. And if the Governor and Council can suspend so solemn an act of the royal authority, I must acknowledge myself in the wrong. But since they seem to reflect upon my reputation and even begin now to lessen my former services, I have adventured to make my answers and to send them to Mr. Povey, to be laid before the Lords of Trade. I am no lawyer and cannot put them into suitable address for so honourable a board, but I hope that I shall be pardoned, relying as I do on my innocence and on the zeal which I have always shewn for the King's interest, having in the greatest extremities supplied the Government with my estate to a great value, when they could not obtain the like anywhere else. There is not one tittle that I alleged at Whitehall but what I have justified here and can prove upon the narrowest scrutiny to be uncontrollable truth. So I must beg your favour that I be not condemned unheard, but that my offences may be laid open, though I am conscious of none that I have committed except that before mentioned, and if that be crime enough to forfeit the King's favour, I beg you to pardon me for the trouble that I give you and not impute anything amiss if for my vindication I justify myself before the noble lords, who have shewn so much greater sense of my services than these here, who are willing to forget them in order to gratify their revenge. *Signed*, Robt. Livingston. 2 *pp.* *Endorsed*, Recd. and Read 30 Nov. 1696. [*Board of Trade.* New York, 6. *No.* 62.]

[Sept.] **236.** Robert Livingston to Lords of Trade and Plantations. After presenting my petition to the Governor and Council on the 10th of September, I produced my vouchers, to which there was no opposition except to certain assignments, which they alleged that I had bought, and for which they had already issued warrants. I told them that I had these assignments in satisfaction for money I lent the officers to subsist themselves and families during the time of the Revolution, when they were out of service and could not procure bread of any other person. They were so sensible of my kindness that for my reimbursement they made me the same assignments, which I pressed might be allowed me. However, I could have no answer, but the general answer given below. However, I answer what was objected. It is objected that I cannot have a preference on the money due by the additional duty, since it is unalterably appropriated by a new Act. I answer that the first Act, which provided for quarterly payments, was equally unalterable, but at every quarter there arose some extraordinary necessity. Such necessities do not arise eight times running without design. It is objected that there never was any office of Agent or Secretary to the Indians, and therefore no salary was allowed, but that the

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work was done by the Town Clerk *ex officio*. I answer that I did officiate as Secretary because I was Town Clerk, but the drawing and translating of the Indian propositions from Dutch into English was never done by any town clerk before. Since the war the work is forty times more troublesome than before, and that is why I asked for additional salary. The refusal of the King's Commission can only be due to malice, for every Indian who comes in with intelligence has his news translated into Dutch, which is translated, transcribed and entered by me. This happens forty or fifty times a year, besides the solemn negotiations once or twice a year. All mankind can judge whether I can do that for nothing. Besides, I have been accustomed to run up and down to buy Indian presents, keep accounts of them and put them in order, which takes much time. The Council forget that Governor Fletcher on his arrival, when the Colony was in great distress and had no assistance from neighbouring Colonies, erected a new office of Accountant-General and gave it to one of his domestics with £50 a year, establishing another salary of £50 for the Clerk of Council and £100 for the Attorney-General. But the necessities of the province are made a bar to my commission. It is objected that I am a Scotchman and under a new Act cannot officiate in the Treasury. I answer that I am of Scotland, but born after King James I. came to the Crown of England. Now after twenty-two years' residence in New York, with a commission under Government and possession of much property, I am to be accounted an alien. What of the Council of New York, that are of Dutch and French birth, and have not as much naturalisation as I? It is objected that I got all my estates by the Government. I have gained what estates I have by great industry and pains; and if it is through the Government it is by advancing money to it without so much as interest. If this be thanks for my former services I am very unhappy. After advancing money to three Governors and at last growing weary of delays in repayment, I was approached by Mr. Brooke and others, at the Governor's instance, to accept again. I was not such a despicable person then. It is objected that I never received the quit-rents nor had authority to do so. I answer that I did so by the Receiver's order. 3 *pp.* *Endorsed*, Recd. 28 Dec., 1696. *Annexed*,

237. I. Copy of Robert Livingston's petition to the Governor and Council of New York. (*See No.* 217II.)

Copy of a minute of New York Council. 15 September, 1696. The Council submit their report on Robert Livingston's petition and recommend the Governor to represent to the King what they say concerning the money payable from the additional duty, and to recommend to the Assembly the item of £388.

Minute of New York Council. 17 September, 1696. The Council signed a report on Robert Livingston's Commission and desire the Governor to represent the matter to the King and meanwhile to suspend the salary of £100, and to prohibit him from all business connected with the Treasury or with the Indians except as Town Clerk of Albany. 3 *pp.* *Endorsed*, Recd. 28 Dec., 1696. [*Board of Trade.* New York, 6. *Nos.* 63, 63 I.]

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Sept. 21. **237.** Memorial of the merchants of Jamaica. To explain ourselves as to the state of health in Jamaica, we would observe that not only May and September, but the intermediate months of June, July and August, are generally rainy on shore and more sickly than other months. Ships cruising at sea about the Island in those months will not be so sickly as in harbour. We again beg that the convoy may sail in December. *Sixteen signatures.* ½ *p. Endorsed,* Read 21 Sept., 1696. [*Board of Trade.* Jamaica, 8, *No.* 19; *and* 56. *p.* 5.]

Sept. 21. **238.** Journal of Council of Trade and Plantations. The Secretary complained that he had found difficulty in obtaining an answer from the Admiralty, as the Secretary did not understand how this Board could have any direct communication with that, but thought it should be done intermediately by addresses to the Lords Justices or the Privy Council.

Mr. Locke handed in a further memorial from the Jamaica merchants as to convoys. The Secretary was instructed to enquire of the Agents for the West Indian Colonies as to the time necessary for loading and unloading.

Draft representation as to convoys agreed to.

Order for Mr. Allen to be required to supply a copy of a former memorial of his as to Naval stores.

Sept. 22. Mr. Cary's letter of this day's date was read.

Order for Mr. Brooke to attend to-morrow morning. Several papers from Maryland were read (*short abstracts are given of all*).

Sept. 23. Mr. Brooke attended and gave some account of New York. Mr. Nelson gave in two memorials. The Secretary was directed to enquire of the law-officers how juries may be attainted.

Sept. 24. The Secretary read Mr. Gracedieu's letter of this day's date. Mr. Nelson's memorials were read. Order for Jacob Leisler and Abraham Gouverneur to attend the Board to-morrow. A letter to Sir E. Andros and a representation as to convoys were signed. Order for all letters to the Plantations to be sent through the Post Office always.

Sept. 25. Governor Fletcher's letter to Mr. Blathwayt of 30 May was read. Jacob Leisler and Abraham Gouverneur gave in a memorial of the State of New York since 1687 and a paper called the Grievances of New York, giving a short account of each of the signatories to the latter document.

Sir Henry Ashurst gave in draft instructions for the gentlemen to be employed to report as to naval stores in New England, which were read. He then gave an account of a Society for Evangelising the Indians, which he represented to be a Chartered Corporation, of which he himself was a member. It had £800 a year in England, and spent £400 a year in payment of preachers. It had translated the Bible and a few other books into the Indian language. At request of the Board Sir Henry promised to send up the Clerk of the Company to give further information.

Divers letters were signed. [*Board of Trade.* Journal, 9. *pp.* 120-146.]

Sept. 21. **239.** Minutes of Council of Maryland. The law-officers gave their report as to the liability of those who bring furs and tobacco

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from one district and ship them in another district, without certifying the officer of the district where the ship lies. The list of shipping entered and cleared in Potomac district was handed in. A letter from the Collectors of Customs of 19 December read, and a copy furnished to Mr. George Muschamp, Collector of Potomac District. Letter from Commodore Charles Wager read, reporting the arrival of a merchant ship six days before. The Governor said that the Commodore's orders were to stay for one hundred days from the arrival of the said ship, being the last to come in. Order forbidding any Frenchman to be seated on any foreign plantations on the frontier of the province. A complaint against Mr. John Coode of using blasphemous language was read, and the persons who heard him were ordered to attend to-morrow.

Sept. 22. The complaint against John Coode was heard, and it was ordered that he be dismissed from his militia-employ and prosecuted by the Attorney-General. *Here follow the depositions*, from which it appears that Coode, though holding priests' orders in the Church of England, said among other things that religion was but policy, and that all religion was to be found in Tully's *Offices*.

Sept. 23. Order for John Coode's books and papers to be seized, sealed up and sent to the Governor.

Note.—The papers, etc., were brought down, and perused on 5th October, but were returned, nothing material being found in them.

Sept. 24. George Muschamp attending, swore to his accounts, and produced his commission and instructions from England as Receiver of Potomac district. He then gave his bond and securities.

Sept. 25. It was referred to the law-officers for their opinion whether sheriffs can legally leave their counties during their shrievalty, and whether any but the sheriff can raise the *posse comitatus*. (The law-officers replied on 3 October, that by the laws of England no sheriff could leave his county but once a year to make up his accounts in the Exchequer, but that no such rule had been observed in Maryland nor had any evil come of it, though the high sheriff alone can raise the *posse comitatus*. Whereupon orders were issued that sheriffs do not leave their counties during their shrievalty except to make up their accounts, or on particular summons from the Government.)

Sept. 26. John Addison and Thomas Brooks obtained leave of absence, and Nicholas Greenberry also for a few days. [*Board of Trade.* Maryland, 13. *pp.* 148-159.]

Sept. 21. **240.** Journal of House of Burgesses of Maryland. Message from the Governor giving the opinion of the lawyers against the legality of John Coode's sitting in the House of Burgesses, being a priest in Anglican orders. John Coode, being asked if he was in orders, replied that he had disabled himself by accepting and executing military Commissions. The case being referred to the Committee of Elections, they reported as follows. We learn from two members of the House that John Coode formerly exercised the priest's office at St. George's in St. Mary's County, preaching, baptising, and marrying, and received subscriptions from the inhabitants for the same. For many years past Coode has exercised

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several judicial and ministerial offices in the province, but we cannot find that he was ever divested or degraded of his orders. By a majority of us it has been carried that his holding and executing of judicial and other lay offices is not a discharge from holy orders, and that he is therefore not qualified to sit in the House. *Report ends.* Put to the question whether he be legally qualified, and carried in the affirmative. Message to the Governor reporting this resolution, and asking that he may be sworn. Sir Thomas Laurence then came and made a report of his proceedings in England. Message from the Governor and Council. We conceive that our question as to John Coode is not rightly answered. It is not disputed whether he be duly elected but whether he is a priest or deacon, and so by the laws of England not qualified to sit; to which we demand an answer. Message from the Burgesses. Before sending our last message we examined not only whether John Coode was duly elected, but also whether he was qualified to sit. We beg therefore that he may be sworn. *Message ends.* John Coode offering to swear that he is not a priest, two members were appointed to receive his oath.

Sept. 22. The House by command attended the Governor, who made them a speech as follows: I am sorry that you should persist in the admission of John Coode, though a priest in orders. You may be sure that I shall suffer no vote to pass in opposition to the laws of England. I will not swear John Coode. To shew you what manner of man you are upholding I give you depositions shewing him to be guilty of blasphemy. I beg that you will proceed to other business wherein the Council and I are ready to enter. *Speech ends.* On return to the House John Coode was ordered to withdraw. It then appearing that John Coode was, by unimpeachable testimony, a priest, it was unanimously resolved that he is unqualified to sit, and therefore is dismissed. Message to the Governor. We thank you heartily for your speech. We have done our duty as to the member mentioned by you, and are ready to join you in despatch of business. *Message ends.* Colonel Coode then departed, receiving his charge for coming to and attending the House. Order for issue of a writ for election of a member in his place. Committees of Accounts and of Laws appointed. Resolved that the Council be joined with the Committee of Laws, and that the Council be apprised of the same. Messages from the Governor, thanking God for the end of the dispute, and appointing two Councillors to join the Committee of Laws. Several papers, and a number of proposals were also sent down. Accounts of the public revenue were laid before the House.

Sept. 23. The accounts submitted to the Committee of Accounts. The proposals from the Governor were then debated and resolutions passed thereon as follows: (1) As to the adjustment of Indian lands, we name a commission of each county to decide disputes in respect thereof. (2) Agreed that a Bill be prepared for advancing the port of Annapolis. (3) As to the proposal that the sheriffs shall collect the gifts for the school, it is thought that the subscriptions are already in good hands. (4) Agreed that a law be made to secure the libraries that are to be bestowed on the parishes. (5) As to the proposal for addressing the King that part of the

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revenue set apart for arms may be applied to furnishing small books of a godly kind, we think that the Country is not yet sufficiently provided with arms. When it is, we shall be ready to make such an address. (6) Agreed to address the King to thank him for the grant of his revenue for supply of arms. (7) As to the arms now sent, we think that they should be appropriated to Anne Arundel County, and that others should be purchased. (8) The proposal as to furnishing the offices is referred to the Committee of Accounts. (9) As to the proposal that lamps (contrived for candles to burn in water) be sent for for the clerks, resolved that the clerks provide themselves therewith. (10) Agreed that books of Exercise be provided for the military officers. (11) Agreed that the prohibition of the export of corn be removed. (12, 13) The proposals to regulate the care and custody of arms, etc., in the Counties, and to compel masters of ships to change public powder when called upon (unless too bad to be fired) are referred to the Committee of Laws to consider a law therefor. (14) As to the proposals for equal division and re-naming of the parishes we think it would be better to wait until any of them complain. (15) As to the proposal that the parishes provide themselves with a few books, that they may learn how to govern themselves, it is thought fit that the vestries provide for the same. The remainder of the proposals were referred to the Committee of Laws.

Sept. 24. Report of the Committee of Laws on the remaining proposals. (16) We think the Commissary's house the best place for securing the library for Annapolis. (17) Agreed that a law be made to secure the parish-libraries when they come. (18) Agreed as to an ordinance to oblige the justices to send for the King's Arms to be put up in the County Courts. We think that the necessary law books are already sufficiently provided for by law, and we think that a gown for the chief justice may stand over for the present. (19) The question as to re-exported European goods is, we think, met by the Act to explain the Ten Per Cent. Act. (20) As to the proposal to compel the ships of this province to lie at certain places for their own defence, we think such a course would be very prejudicial to trade. (21) We have already given our orders as to Captain Humphrey Pellew's sailing. (22) We think there is no absolute necessity for the proposed law as to the appointment of a new sheriff or new County Court clerks upon the death or deficiency of the old. (23) Notwithstanding the petition of the merchants of Pennsylvania, referred to us, we think that the Ten Per Cent. Duty Act should be continued. (24) The accounts of the four pence per gallon duty have been referred to the Committee of Accounts. (25) The House thanks the Governor for so wisely disposing of the tobacco collected for the Church at Annapolis. We think a Committee should be appointed to see to the building of it. (26) The House will appoint members to join some of the Council in inspection of the state-house, as proposed. (27) As to enlarging small parishes, though they make chapels of ease, we think the existing law sufficient. (28) We think the existing law as to Kent Island parish sufficient. (29) We think that the law already provides sufficiently for churchyards. These resolutions being approved, a committee was appointed to report as to the funds

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already raised for the church and free school. Committee of Accounts ordered to inspect the state-house. Charles Carroll produced his commission as solicitor for Lord Baltimore. Several laws brought up by the Committee.

Sept. 25. George Plater produced a correspondence between Sir Edmund Andros and himself as to the revenue, and some letters from the Commissioners of Customs. Bill for roads and ferries read a first time, and the portion referring to ferries rejected. The following Bills were read a first time, viz.: Bill for speedy justice; Bill for parochial libraries; Bill to revive temporary laws; Bill for the port of Annapolis. George Muschamp's Commission as Receiver General of Potomac and Patuxent read, with a representation from the Governor referring to the House the motion of the salary of £100 in this and in another Commission. Resolved, that the salary ought to be paid out of the King's share of the revenue of the Patuxent and Potomac; and a message sent to the Governor to that effect.

Sept. 26. Bills for parochial libraries read a second and third time. Bill for the port of Annapolis read a second time. Resolved that the Act of Parliament admitting the attestation in lieu of the oath of Quakers is a law in force in Maryland. Several petitions read and dealt with. A Bill annexing several rivers and creeks to the port of Annapolis read. [*America and West Indies.* 557. *No.* 17.]

Sept. 21. **241.** Minutes of Council of Maryland in Assembly.

Message to the Burgesses expressing dissatisfaction with their answer as to John Coode (*see preceding abstract*).

Sept. 22. The House attended the Governor, who made them a speech, after which messages were exchanged as to the matter of John Coode, and the dispute brought to an end (*see preceding abstract*). Orders for laying a letter from the Governor of New York and the accounts of the revenue before the Burgesses. Twenty-nine proposals sent down to the Burgesses (*see preceding abstract*).

Sept. 23. A question as to payment of the levy by a ship's master referred to the Burgesses.

Sept. 24. Answer of the Burgesses to the twenty-nine proposals (*see preceding abstract*). Petition of several masters of ships read and referred to the Burgesses. George Muschamp produced the King's Commission as Receiver of Patuxent and Potomac, when it was resolved to represent the question of his salary to the Burgesses.

Sept. 25. The answers of the Burgesses to the proposals (*see preceding abstract*) were agreed to, with the following exceptions. (1) The proposal is again urged, several complaints having been received of late. If mischief ensues the Governor washes his hands of it. *Note. The answer entered on the Council's minutes as returned by the Burgesses is to the effect that disputes should not be meddled with.* (3) The Bishop of London having sent over a school-master, it is important that the work should be pushed on, which cannot be done unless the tobacco be collected. (7) It is not intended that the public arms should be meddled with, and as the Militia are bound to provide themselves there is no need to buy trumpets and drums, as suggested. (14) This proposal is urged again, sundry complaints

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having been made already. (22) Proposed to insert the power of appointing Clerks in Justices' Commissions if they have it not already. The late Act of Parliament as to Quakers was sent to the Burgesses, with a proposal to enact a law conformable to it unless it be judged to be of force. Message from the Burgesses as to George Muschamp's salary. Bills for parochial libraries, for speedy justice and for the Port of Annapolis read a first time. The Bill to revive temporary laws considered needless, as being already enacted and therefore contrary to the Royal instructions.

Sept. 26. A petition from the merchants of New York was referred to the Burgesses and by them rejected. Several members desiring leave of absence the Governor told them to arrange among themselves that a quorum should remain. A new resolution for the deciding of disputes about Indians' lands was received by the Burgesses and assented to (*pp.* 143-144). *This resolution is entered by the Burgesses as their original answer.* [*Board of Trade.* Maryland, 14. *pp.* 120-137.]

Sept. 21. **242.** Minutes of General Assembly of Massachusetts. The late Act to establish Courts was again read and debated. Proposed that on the loss of so great a part of the harvest an Act be passed to prohibit the malting of barley.

Sept. 22. The heads of an address to the King were debated and drawn. A Bill, empowering justices of the Peace to decide differences up to forty shillings was received from the Representatives, read and debated.

Sept. 23. Complaint of John Wilkins against the Justices and select men of Bristol read.

Sept. 24. The Address to the King was agreed to. The Bill for empowering Justices was again read and debated.

Sept. 25. The Bill last named was again read and not agreed to. John Wilkins's complaint was debated and referred to the Representatives.

Sept. 26. Bill for incorporation of Harvard College received and read. [*Board of Trade.* New England, 48. *pp.* 74-77.]

Sept. 22. Boston. **243.** Secretary of Massachusetts to William Blathwayt. I thank you for your favours. It is no small satisfaction to me that my endeavours in the King's service find acceptance, which makes me with more alacrity undergo the fatigue of the extraordinary attendance and business which the present difficulties of the province calls for in my station, the perquisites of which are not so great as to excite the emulation of any that may seek the same. The report of the plot against the King was no less amazing to his good subjects then was the joy at its defeat. The Lieutenant-Governor at once empowered the justices in the several counties to administer the oaths of loyalty to all males over eighteen years of age who had not taken the same; and a day of public thanksgiving was appointed and held. The General Assembly forward their congratulations by this opportunity, and have signed the Association for the better security of the King's person and Government. In obedience to the Royal Commands the Act of Parliament for regulating the Plantation Trade has been published here; and the

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General Assembly have under consideration the laws which have been disallowed, in order to amendment. The variation between the charter and the precept prescribed to the Sheriff for elections is not in the charter under the Broad Seal, which was brought by Sir William Phips and published here at the entrance of the present Government. That makes the qualifications of an Assembly-man to be a freehold estate worth forty shillings *per annum* or other estate to the value of £40. Such mistake as is therein happened in that engrossment of the charter, the precept being made agreeable thereto. The Assembly is also preparing an address to lay the state of the province before the King and to supplicate his aid. The enemy have made such impressions upon the province during the past summer, by the taking of the Newport frigate, by the unfortunate loss of Pemaquid Fort, by the mischief of skulking parties of Indians and by the scarcity of the provisions (for great part of the harvest has been lost by blast and unseasonable weather) that the people here are under wonderful discouragements, being reduced to great poverty. Many remove to the Southern Provinces, where they are less exposed to the enemy and more free from taxes. There is now a force of 500 effective men under conduct of Lieutenant-Colonel Hathorne and Major Benjamin Church, together with H.M. ship Arundel, the province galley, other vessels and several transports abroad in the parts of this province towards Nova Scotia, to make some attempt upon the enemy and to endeavour the removing of the French garrison on St. John's River, and the surprising of the great guns and other warlike stores lately brought thither from France for the further strengthening of the river. We have had no intelligence of them since their departure. On notice that the two French ships which surprised the Newport were on the coast, H.M. frigates Arundel, Sorlings and Orford, joined by a hired ship mounted with thirty-six guns, the galley and a fireship, went forth in quest of them. Our fleet happened to come in sight of them at Mount Desart, when they were lying at anchor with the Newport, which put them to great confusion and distraction to work out. The wind dying away, our ships were becalmed and could not reach the roadstead, while the French having a small breeze off the high land got out in the night and were seen by our ships next day, which lay becalmed till the afternoon, when the sea-breeze came up. They then gave chase and fetched upon the enemy, who at night altered their course, and, the next day being very foggy, ours lost sight of the French, who stood out to sea. Two days later they surprised two fishing vessels on their way home from Cape Sable, one of which they sold to the men to bring them home. They told how they had been chased by the frigates and how they feared that they would have been taken but for the fog; and they continued to make the most of their advantage of sailing to eastward, expecting that the frigates were still in chase. We have the report of two squadrons of French ships in the West Indies, but hope the near approach of winter may keep them from visiting this coast. The Lieutenant-Governor on receiving the Privy Council's warning of a French design upon America gave orders for putting all into a posture of defence; and the public fortifications are repaired and in good order. The expectation of a

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Governor from England has been some hindrance to forwarding some things that may be for our better security. The province is in a very poor and distressed condition, and the King's interests here are exposed to danger unless early supported by a supply of warlike stores next spring and by some ships of war of greater strength than are now assigned to the station. This, I suppose, will be represented to the King by the addresses of the Assembly. I have transmitted the Minutes of Council and Assembly, the laws last made, the Treasurer's accounts, and duplicates of papers formerly sent by Captain Fleetwood Emes of H.M. ship Sorlings. I am pressed by the business of the General Assembly now sitting, but hope to give you a further account before the fleet sails. *Signed*, Isa. Addington. 3 *pp.* *Endorsed*, Recd. 30 Nov. Read 8 Dec., 1896. [*Board of Trade.* New England, 8. *No.* 27.]

[Sept. 22.] **244.** Abstract of the foregoing letter, in nine short sentences. *Scrap.* [*Board of Trade.* New England, 8. *No.* 28; *and* 36. *p.* 61.]

Sept. 22. **245.** William Popple to Edward Littleton. Desiring him to bring memorials in writing as to the wishes of the Barbados merchants respecting convoys. [*Board of Trade.* Barbados, 44 A. *p.* 5.]

Sept. 22. **246.** William Popple to Richard Cary. Asking what is the usual time allowed for loading and unloading ships, and consequently for the stay of convoys in the Leeward Islands and Barbados. [*Board of Trade.* Leeward Islands, 45. *p.* 13.]

Sept. 22. **247.** Richard Cary to William Popple. I conceive that seventy days may be sufficient for the merchant ships to unload and reload in the Leeward Islands, that being the usual time allowed us by charter-party on the biggest ships. As for Barbados, I dare not intermeddle, there being agents for that Island here. *Signed*, Rd. Cary. ½ *p.* [*Board of Trade.* Leeward Islands, 5. *No.* 10; *and* 45. *p.* 12.]

Sept. 22. **248.** Minutes of Council of Barbados. Order for the Council to be summoned upon any alarm, and for the President to issue orders as the officers shall think best before the Council meets.

Sept. 23. Order for payment of the expenses for the French captain lately prisoner on the Island, and for a pipe of Madeira and two hogsheads of wine to be given to Captain Fisher and his men for going out after the six strange ships. [*Board of Trade.* Barbados, 65. *pp.* 142-143.]

Sept. 23. **249.** Minutes of Council of Massachusetts. The Lieutenant-Governor reporting that several persons, to whom he had issued privateer's commissions, had brought in prizes, the Council advised that he should try the ships so captured and condemn them, there

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being no Judge of Admiralty in the province. [*Board of Trade.* New England, 49. *pp.* 49-50.]

[Sept. 23.] **250.** Memorial of John Nelson to the Council of Trade. In compliance with your wish, I communicate to you what I formerly proffered to the Duke of Shrewsbury, but first I must beg your patience while I give some account of myself. For twenty-six years I have been incessantly conversant with the French in Nova Scotia, Acadia and Canada, for which reason I was selected by the Governor and Council of New England in 1691 to establish Colonel Edward Tyng in command of Port Royal, then newly subjected to the Crown of England. In this enterprise I had the misfortune to be taken prisoner by the French, who, notwithstanding my acquaintance and interest with them, made exception to my release (lest I should give information to the Court in England) whereby I have actually suffered four years and a half of imprisonment. During that time I have continually endeavoured to discover whatever might be of advantage to us, and have sometimes found opportunity both in Canada and France to give information which, had it been duly noticed, might have been of good effect. But to avoid prolixity I omit the particulars. I shall also omit what I previously said about the affairs of France and proceed at once to those of the Northern Colonies. As things are now circumstanced in those parts, unless we timely prevent the designs of the enemy, we risk the loss and subversion of the whole of them, on account, first, of the methods pursued by the French towards their own people and Indians and towards our Indians, and, secondly, through our neglect to oppose the enemies' influence with our Indians, the confusion of Government in several or most of our Colonies and above all through the disunion among them.

First, as to the French, the great and only advantage which the enemy has in those parts depends chiefly on the nature of their settlement. Our Colonies depend on the improvement of lands, etc., Canada depends on the fur trade with the Indians, so that their whole study has been to maintain their interest and reputation with them. This has been much augmented by Sir William Phips's unhappy and foolish expedition from New England, and also for want of due care in the settlement of Nova Scotia after the capture of Port Royal. We may therefore by fatal experience lay it down as a maxim that those who are masters of the Indians will prevail in all places where they are neglected, as we have too much done. The French are so sensible of this that they leave nothing unimproved in this regard, first by seasonable presents; secondly, by choosing some of the more notable among them for constant pay as a lieutenant or ensign; thirdly, by rewards upon all executions, whether upon us or other Indians, giving a certain sum per head for as many scalps as shall be brought to them; fourthly, by encouraging the youth of the country to accompany the Indians on all their expeditions, whereby they not only become acquainted with the woods, rivers and passages but of themselves may equal the natives in supporting all the incident fatigues of such enterprises, which they perform by advancing, upon any exploit, the most forward and daring to some office among the regular troops, or by

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procuring from France some mark of honour, as a letter from the Minister, with some small pension. I have known one of this nature which created such emulation that, if Count Frontenac had not restrained their forwardness for fear of leaving the country naked, the whole body of their youth would have been perpetually out in parties. Fifthly, the greatest and most effectual means that they have taken for confirming their Indians and subverting of ours, is that for some time since the war they have transported to France a few of the most eminent and enterprising Indians, not only of their own but of ours whom they have captured, for no other intent but to amaze and dazzle them with the greatness and splendour of the French Court and army. The King has thought it so well worth countenancing as to send them to Flanders, where the armies have been expressly mustered before them to shew their greatness. At the same time they do not fail to insinuate to them our weakness, poverty and incapacity to protect them, which they readily believe, having no idea of our native force and strength other than what they see in our poor settlements about them, and from which they cannot expect sufficient support. So that even those of our New York Indians who have always been at perpetual enmity with theirs and consequently with them, are now either turned to their side, or else stand doubtful what to do. For the fuller completing of the French designs there are actually at this instant at Versailles six sagamores from Canada, Hudson's Bay and Nova Scotia to solicit such help against us as, if care be not timely taken to oppose them, will, I fear, prove fatal. When we come to see the desolation and disturbance of our Southern Colonies which, when the Indians are wholly affrighted or gained to the French cause, will be at all times easy for them to effect by the situation on the rivers and lakes at the back of our Colonies—then I say that these things will become more sensible to the nation through the loss of revenue to the Crown. We have woeful experience what may be done in this kind from the destruction wrought in Maine and New Hampshire, whereby we have in a measure lost our mast, timber and fishing trade.

I pass now to the remedies. First, as regards the Indians, we cannot do better than imitate the French both in encouragement to the Indians at home and by sending some chiefs to England, to give counterpoise to the French reputation and greatness, which a sight of the City of London and of what else may be shewed them here, or if need be in Flanders, will easily effect. For those whom we have brought over, being unable to conceive anything greater than we have shewn them, will return home, and by their report of our numbers, strength, riches, etc., will encourage our friends and regain for us the waverers, so that we shall equal our reputation to that of the French. There are other things in regard to our traffic and trade with them which will properly belong to the Governors on the spot, namely to establish such justice and equality in our dealings with them as may redress abuses in this kind, for where full trust and inclination can be obtained there love and inclination will follow, even among Indians. Again, we have in a manner wholly neglected the propagation of religion among them, except in some few parts near Boston, although there is a considerable

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fund established in this Kingdom under the title of Indian stock, to which belong a Governor and assistants, whose management is rather for an increase of the stock here in England than for the instruction, countenance and conversion of the heathen, according to the intention of the donors. An enquiry herein might be of great use, and indeed our neglect in this regard is both shameful and injurious, whereas our enemies the French by the zealous propagation of their missionaries, always sent and maintained among them—nay, even at our doors, and with our Indians—do insinuate themselves to our prejudice so as to become masters of the consciences of the heathen, and by consequence must always have them at their devotion. Our Indians have often made complaints hereon for want of the like care and instruction, yet little or no notice hitherto hath been taken thereof.

Next, I must not omit the due encouragement which should be given to our hunters, or bushlopers as they call them about Albany, so that the Indians on all expeditions against the French may be accompanied by a suitable number of our own people, alike to accustom themselves, as the French do, and to liven and back the undertaking, for otherwise they cannot be expected always to expose themselves in our quarrel, while we remain by our fires, and the enemy never fail to give personal assistance to their Indians. We are not without as good men as they, but we want the like methods, discipline and encouragement. Thus we have one Schuyler at Albany who, while I was at Quebec in 1691, made one of the most vigorous and glorious attempts ever known in those parts, with great slaughter on the enemy's side and great loss on his own, in which action, but for an accident, he had very probably become master of Montreal. I have heard the thing reported so much to his honour by the French that had the like been done by any of their nation he could never have missed acknowledgment and reward from the Court, though I hear of nothing among us that has been done for him. I speak this only to shew what discouragements our people are under, while the French neither omit nor spare reward for the carrying out of their designs.

I now make another remark about our greatest defect and mistake, namely the number and independency of so many small governments, whereby our strength is not only divided but weakened. By reason of their several interests the provinces are become, and do in a manner treat each other, as foreigners, so that, whatever mischiefs happen in one part, the rest by reason of this disunion remain unconcerned and our strength thereby is weakened. Were New England, Hampshire, Rhode Island, Connecticut and New York joined in one, we should be at least ten or fifteen to one against the French in Canada, and instead of a bare defence might, with ships from England, make an entire conquest of the place. Towards this enterprise security, honour, profit, interest, and facility in the undertaking all invite us to be no longer negligent. I can see no particular advantage to which our nation can pretend in this war but this, which is such that, if it were known, I presume that it would be no longer omitted. I must herein instance the value of the fur trade, which is not less than about £200,000 *per annum*. While I was at Quebec they reckoned to

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have had much above that value in the town, since which, by the capture of Fort Nelson in Hudson's Bay, they are become in a manner sole masters of that trade and will be continually encroaching until we put some stop thereto. I am not ignorant of the difficulties that may be objected, nor of the discouragement we are under from the unfortunate attempt of Sir William Phips, wherein we could not reasonably expect much better, the affair being so rashly undertaken without order, method, provision or conduct. And yet had the enterprise been well-timed as to the season of the year, and had the forces from Albany proceeded as was designed, the place had undoubtedly been ours; so that we ought not to let our miscarriage affright us from the attempt once more. But I shall further enlarge hereon elsewhere.

Now as to my reasons for suspecting French designs on the Northern Colonies. When I was removed from Angoulême to the Bastille, there were sent to treat with me about my release the Marquis de Cheury (?) and Mons. de Lagny, who is Intendant General of the commerce and foreign affairs of France; with whom after divers other discourses we fell into talk about Canada, New York and New England, in which we all agreed as to the woeful condition those countries were in, on both sides, owing to the barbarous cruelty of the heathen, and that nothing was more desirable than some good accommodation, if it could be found out. There was then proposed the setting on foot, if possible, of the late Treaty of Neutrality for those parts, concluded in King James's time. The difficulty that remained was to find out a way to treat, since the French would not even acknowledge King William to be King of England; for which we discovered the following expedient, that power should be procured for the Governors on both sides to treat and conclude in their own names during this war. I, as a private person, asked whether such a thing would be agreeable to the Court of France, and, if they thought so, whether they, as private persons (without engaging the honour of the Crown) would assure me that, if the offer were made them by England, they would accept it. They told me they would make the proposal to Mons. Ponchartrain and so give their answer. About a week later they came to me again and told me that there would be no difficulty in France, the thing being very well liked of, and that I might make the motion here, if I thought fit. The matter remained in this posture for some time until the arrival of the Canada ships and of the six Indians already mentioned, on whose application things were so altered as to procure a petition from the Canada Company for my further detention, as being dangerous to their interest if I were set at liberty. The thing was discoursed before the King in Council, and if my affairs had not been so far ended with them I should have been detained until the end of the war. I was ignorant of these things until informed by a visit of some gentlemen from Canada, when I was told of the reason of my long remaining in the Bastille and the danger I was in; but at length they were swayed by a point of honour to perform their words, since I had complied in every article with their demands. My passport was at last brought to me by Mons. de Lagny and the Marquis de Cheury, who told me that the sentiments of the Court

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as to the Neutrality were changed, and that I should make no mention of it in England. I have since been informed that Mons. d'Iberville (who was their commander at the taking of Fort Nelson) is appointed with a considerable force to carry back the said Indians, and to make an attempt upon the coast. I know him to be a very enterprising man, and what the effects may be is rather to be feared than determined, especially if the state of those countries be reflected on, being without governor, soldiers, officers or fortifications, or at least with such as are rather to be despised than otherwise. Of all this the French are not ignorant, for I have often heard them discourse as truly and pertinently of those parts as the best acquainted Englishman could do. I annex a scheme for an attack on Canada. 15 *closely written pages. Endorsed*, Recd. 28 Sept., 1696. Read 24th. [*Board of Trade.* Plantations General, 4. *No.* 10; *and* 34. *pp.* 42-44.]

[Sept. 30.] **251.** Rough precis of the preceding. *Scrap.* [*Board of Trade.* Plantations General, 4. *No.* 11.]

Sept. 23. **252.** A scheme for the reduction of Canada, proposed by Mr. Nelson. The situation of the French settlements is on the great river St. Lawrence, both sides of which for some eighty leagues' space are unhabited owing to the extreme cold and rockiness of the country. There the river is very large and bold, being from eighteen to twenty leagues wide at the entrance, gradually lessening to about eight leagues over against Tadousac or the Saganie, at which river (which strikes northward towards Hudson's Bay) the going up continues about five leagues, growing very dangerous by reason of a very long and shoal point that runs directly across the river, between which and a small sandy island (called by the French Isle Rouge) is a good channel, through which having passed and doubled the point, we sail near thirty leagues, keeping the north shore on board, until we come to the Isle de Coudre, where is also a difficult pass because of the great tides, so that without a fair and leading gale of wind ships never venture farther. From this place and a little below are some few settlements—say fifteen or twenty families—until you come (still keeping to the north side) to a high mountainous point (old Cape Tourment), where ships are commonly forced to stop for an easterly wind with the flood to cross over to the Isle of Orleans, about five leagues. This I esteem one of the most difficult passages of the river; after which we sail up on the south side of the Isle of Orleans some seven leagues to Quebec without danger. There are settlements on this side of the Island, but more on the north, so that altogether on the Island there may be 300 or 400 families. On the main land on the south side are scattered plantations from the River de Loup unto the river Oale, about ten leagues, not above three houses. On the river Oale are about sixteen families. From hence to Cape St. Ignace, which is called the Grand Bay, there are in about ten leagues' space some eight or ten families, and at the Cape itself about fifteen more; from thence to Point de la Vie, which is opposite to Quebec, near twenty more; so that the whole number

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of families on the south side of the river up to Quebec, for the space of above thirty leagues, may be about fifty families.

	Families.
	50
Upon the North side of Orleans, on the Main from Cape Tourment to Quebec, about ten or twelve leagues, which they call the Coast of Beaupré, is said to be about	600
The town of Quebec contains not above - - -	300
Now to proceed above the town in the upper parts of the river, where you must note that the south side is so ill-peopled as to be not worth mentioning; so the first place of remark is called the Point au Tremble where, in three leagues' space, there may be about - - -	100
From the Point au Tremble upwards is here and there a house, until about fifteen leagues higher there is a settlement, in about four leagues' space (of which I have forgotten the name) with about - - - -	120
From thence to the Three Rivers, thirty leagues above Quebec, are few or no habitations. Here there is a small palisaded fort, and a Governor with a small garrison, and about - - - - - - - - - -	100
From the Three Rivers to Montreal is thirty leagues, in which space are no habitations, those that were there having been destroyed by Indians. Montreal may have about - - - - - - - - - -	250

The land hereabout is good and was very well settled before the war, but now is all waste. On the south side of the river below Montreal is a small river which flows out of Lake Iroquois, at the head of which is a fort called Chambly, built of palisades, with a garrison of about sixty soldiers etc.

From the above calculation the whole numbers and strength of Canada may be computed to be not above 2,000 families, in more than one hundred leagues' space on both sides of the river, which in divers places is so broad and the tides so strong as to render communication between them very difficult. Out of this number about five hundred of their best men are always absent in the woods among the Ottawas and other Indians, who are from three to five hundred leagues distant from Quebec, so that they can never be seasonably called home upon any attack. But withal it must be supposed that they may have a thousand soldiers and officers from France, which are disposed in various parts as occasion requires. So far as to their situation, numbers and strength; I shall now say something of the advantages, methods and ways which we have for reducing them.

First I propose about 1,500 English and 500 Indians to march from Albany, for which subsistence must be provided at the entrance to Mohawk Lake, on which the said forces must be transported ón canoes or flat-bottomed boats to the fort of Chambly, which place they must take on their way to Montreal, where, according as they find the garrison weak or strong, they should either attack or beleaguer the place. If they take the town they must then march down to Three Rivers, destroy it, and so follow the coast till they come in sight of Quebec. By this time we may

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suppose our fleet to be arrived there, which should carry 1,500 or 2,000 men on board ready to land. These forces, if arrived before the coming down of our troops from Montreal, are to be employed in making descents on the Isle of Orleans and on both sides of the river, whereby to ruin the country by burning the houses, destroying the cattle and ruining the harvest, which is all that they depend on for subsistence and is often found insufficient without supplies from home. By this means, according to the advantage which the country gives of landing at eight or ten leagues distance at each tide, the inhabitants will be driven from place to place into Quebec, where it is impossible for them to have any supply of provisions, so that necessity will force the surrender of the place. This may not appear so clearly to those who are unacquainted with the country, nor can I make the thing so demonstrable as I could on a map, whereon I presume that I could easily answer all objections. What will especially facilitate the enterprise will be that wherever our forces first attack, it will call their whole strength from one end of the river to the assistance of the other, so that either one or the other will be left naked. If they divide their forces they will be too weak; if they continue them joined, the country must be wholly exposed; so that the only refuge left them will be to retire to Quebec where, when all that body of men, women and children shall be pent up together, their harvest destroyed or in our possession (and in that country it is impossible to have supply or assistance from other parts) they will be forced by hunger to surrender within a fortnight. I forbear to speak of the value of the place, its trade and its importance as securing our Colonies, any one of which things is sufficient inducement to encourage the enterprise. 6 *closely written pages*. *Endorsed*, Recd. 23 Sept. 1696; Read 24th. [*Board of Trade.* Plantations General, 4. *No.* 12; *and* 34. *pp.* 54-58.]

Sept. 23. Whitehall. **253.** William Popple to the Attorney and Solicitor General. Forwarding Governor Nicholson's enquiry as to the means of attainting juries (*see preceding volume, No.* 2,303) for their opinion. [*Board of Trade.* Maryland, 9. *p.* 19.]

Sept. 24. **254.** Bartholemew Gracedieu to William Popple. I came home from Gravesend just now and found yours of 22nd; in answer to which, our ships after their arrival at Jamaica are unloaded and laden again in eight or ten weeks. If their Lordships could order convoy home as well as out, we may hope for better success than yet we have had. I do not trade to Barbados. Please send me word when I shall wait on you. *Signed*, Bartho. Gracedieu. ½ *p.* [*Board of Trade.* Jamaica, 8. *No.* 20; *and* 56. *p.* 6.]

Sept. 24. Whitehall. **255.** Council of Trade and Plantations to the Lords Justices of England. We have spoken with the Virginia merchants, who assure us that 100 ships are already gone to Virginia and Maryland from the port of London, which with six more ready to sail and those gone from the out ports will make the greatest fleet ever sent to those Plantations. They say further that most of the crop for which they were designed will have been taken by the West Country ships, and that the stay of 110 days in those parts appointed by the

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Admiralty will cause most of their ships to remain there unladen, as this year's crop will not be ready for shipment until February. We think that the convoy should be ordered to prolong their stay till the fleet now there can ship this year's crop, or that another convoy be sent from here so as to be there in February, in order to convoy home so considerable a fleet. The necessity of one course or the other we think will be clear to you from perusal of an additional instruction sent to the Governor of Virginia in 1692, that no ships be permitted to sail from Virginia except in fleets or under convoy. Whichever of these resolutions be adopted, should be timely communicated to the merchants. *Signed*, Tankerville, Ph. Meadows, John Pollexfen, John Locke, Abr. Hill. [*Board of Trade.* Virginia, 37. *pp.* 12-14; *and* Plantations General, 34. *pp.* 68-70.]

Sept. 24. Whitehall. **256.** Council of Trade and Plantations to Governor Sir Edmund Andros. Embodying all the general queries addressed to Governor Fletcher (*see No.* 260) with the following additional questions. What proportion of inhabitants is employed in planting tobacco, and what in any other way? What commodities besides tobacco are exported from Virginia? What is the present method of preventing illegal trade; how is the Act of 1891 for Ports observed and with what success; if the Act be insufficient for the ends designed, what further methods may be taken? What Indians are on your borders and what are the relations of the Colony with them? What means have been used to convert them to Christianity and with what success? Are any of the Indians settled among you and learning our language, and how can they be made useful? What were the Indians that appeared at the head of James River in 1695, and what damage have they done since the war began? What number of rangers is employed on your frontier, what is the nature of their service and of what nation are they? What progress is made in the building and other concerns of the College? We have received your letters of 27 June, but no duplicates of laws nor any authentic copies of laws since those passed in the General Assembly that met in April, 1695. We note what you say as to the quota and the state of the revenue. We note that you have called Colonel Johnson and Colonel Charles Scarburgh to the Council, but you do not give Colonel Johnson's Christian name, nor do we find Colonel Scarburgh's name among the list of persons recommended to fill up vacancies. You will furnish a complete list of the Council or of persons proper to fill vacancies therein. [*Board of Trade.* Virginia, 37. *pp.* 15-18.]

Sept. 24. Boston. **257.** Lieutenant-Governor Stoughton to Lords of Trade and Plantations. Your Lordships' letters of 26 December, 1695, 10 March and 15 and 20 April have been duly received. I am very sensible of the King's princely care for these remote parts of his dominions and thankfully acknowledge your favour in signifying the reasons for the disallowance of laws, and the amendment of laws to be passed in place of those disallowed, which are now before the Assembly. I thank you also for the warning of a French design against some part of America and your assurance of speedy

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help from England, as the state of affairs at home should permit. I at once gave the necessary orders for putting all things into a posture of defence. On the news of the discovery of the wicked and traitorous plot against the King and Government a day of thanksgiving was at once appointed, and the oaths were administered to all males over eighteen years of age who had not taken them. The Council and Assembly also signed the Association for the better security of the King's person and Government. I have caused the Act of Parliament for regulation of the Plantation trade to be published, and shall take care that that Act and all others for the encouragement of Navigation and securing the Plantation trade be strictly executed within this Government. The General Assembly by this conveyance send addresses to the King, congratulating him on his deliverance from conspiracy and from invasion of the kingdom, and setting forth the distressed and languishing state of his subjects in this province, and the deep impression made upon them by the enemy this summer. H.M. frigate Newport has been lost. She was sent by me in company of the H.M.S. Sorlings and a yacht into the Bay of Fundy to intercept the supplies of ammunition and stores sent annually from France to John's River, but was unhappily overpowered by two ships of war of greater force than ordinary which came thither this year. I have sent a particular narration of the action, under the hands and upon oath of the officers of the Newport, to the Admiralty, and transmit a copy herewith. The address also reports the loss of Fort Pemaquid, which was beset by the two aforesaid French men-of-war, with the Newport and a land force of near four hundred French and Indians, provided with cannon and bombs for the storming thereof. A copy of the narrative given in by some of the officers on oath is enclosed. The commander is under confinement in order to further hearing of the matter. Captain Paxton, who was a prisoner on board one of the French men-of-war, will be able to give you information thereabout. The fort was well furnished with all necessaries and seasonably reinforced by forty fresh men on the news of the disaster befalling the Newport; and I sent an express to notify the commander thereof and of the strength of the French, with directions to be very careful and vigilant, and to have all things ready in case of an attack. It was feared that the French forces would have made some further attempt—on Piscataqua river, as was said—had they not heard of the arrival of H.M. frigates with the mast-ships and several merchant ships from England. Thereupon I ordered a levy of near five hundred men for reinforcement of the frontiers and the protection of the river, and fitted out a hired merchant ship with the Province galley and a fireship to join H.M. frigates Arundel and Orford, with orders to search for the French ships. It happened that they sighted them at anchor at Mount Desart. *Here follows an account of the failure to catch the French ships, almost identical in language with that given in No.* 243. The Arundel, the Province galley, and several other small vessels of war and transports, with near five hundred men under the command of Lieutenant-colonel Hathorne, are now in the eastern parts of the province with orders to attempt the capture of the French fort on John's river, and for making other attacks upon the enemy in those parts, which, if

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God give them success, will be of service. Some privateers equipped by merchants in this province have taken and brought in several French fishing-vessels from the banks of Newfoundland. As there is no Judge of Admiralty appointed in the province, I have been prevailed with to condemn them upon due proof given, otherwise the privateers would have been greatly discouraged and many seamen would have left the province if not allowed their shares of the prizes which they had taken. I have taken care to secure the King's share of prize-goods, which is ready to be made good to whomsoever the King shall appoint. I should be sorry to incur the King's displeasure for assuming a power not vested in me by his commission, since I have done so for his service and with no design of private advantage. I have the Council's opinion that it was advisable for the King's service, for which I pray your favour. It seems highly necessary that a Judge of Admiralty should be commissionated for the province. I beg leave to observe that in the narrative given in by some of the garrison of Pemaquid it is said that the wall in one of the flankers was defective, having been propped up all the winter, and that it began to fall upon firing the gun that stood thereon. I never was advised of any such defect, which I should have timely cared for, and have examined several of the soldiers thereabout, who deny the same and say that the wall was good and did not give way upon firing of their guns. I beg your favour in countenancing the humble address of the King's distressed subjects in this province. *Signed*, Wm. Stoughton. 3½ *pp.* *Endorsed*, Recd. and read 20 Nov. 1696. Answered, 20 Jan. 1696-7. *Annexed*,

257. I. Certain of the late garrison of Pemaquid Fort to Lieutenant-Governor Stoughton. On the 4th of August two French men-of-war anchored a little without John's Island, and between three and four o'clock sent a boat ashore with a flag of truce and a drum. Captain Chubb ordered a file of musketeers to attend their landing, who brought in two of them blindfolded, namely, the Lieutenant-General and Mr. Bodwine, a Frenchman belonging to the town. The messengers having being brought into the most private room of the fort presented a letter from the General, which, as none of us could read it (being in French) was interpreted by the messengers as a summons to surrender the fort. Captain Chubb answered that he would not surrender without fighting, adding if the enemy proved too hard for us he hoped to fall into the hands of a Christian nation and find good quarter. The messengers said that they would fire three or four bombs and then send to us again to see how we liked them, saying that they had a bomb-ketch and another man-of-war coming. Next day arrived the Newport, also 500 Indians on shore and 110 that came from St. John's, besides the men from the ships. The messengers were no sooner gone than the French and Indians fired whole volleys upon us, and, we engaging them, the fight went on all night and all next day until six o'clock in the evening. Two or three

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hours before that time they began to heave their bombs over the fort, and at the same time pitched their standard upon the hill, whereupon our captain ordered our gunner to fire upon the standard, which he did, but missed it. He then bade him fire again, when the shot (as they told us on board the French ship) killed two Indians and wounded another. We had but one gun that we could bring to bear, and after four or five times firing, the flanker, on which it was mounted and which had been propped up all the winter, began to tumble down. By and by three men came in from the enemy with a flag of truce, and our Captain sent a flag to meet them, ordering every man to come up on the wall and shew themselves. The French and Indians at the same time appearing on the hill shewed like a swarm of bees and sent to speak with the Captain, who went out, and three men with him. The land-general then demanded the fort, saying that if it were not surrendered before another bomb was fired he did not know whether there would be man, woman, or child saved; for the Indians would come in upon us if our walls were breached, and would give no quarter. He added that if we did not believe him we might send and see of what force they were. Captain Chubb sent Serjeant David Frances to view them (the French General leaving a hostage in his room) who on being led into their camp saw that they had two mortars and about fifty bombs, with one field-piece. They told him that they had six more at New Harbour and a hundred Indians with them. Serjeant Frances judged the number of Indians there to be not less than 500 and the Frenchmen to be at least a hundred, and informed Captain Chubb. The Captain thereupon sent out two more serjeants, one of whom had been in Flanders and had seen bombs played, and they testified to what Frances said. Presently after came Mons. Castine with a letter from the General demanding the fort and allowing us but half an hour to consider it. The Captain then advised with his men what he should do, and they being assured that they would be left to the mercy of the heathen, and since we could get no water by reason of the enemy, they unanimously agreed to surrender on condition that they might have the clothes on their backs and be carried to a Christian shore (which was granted) and that none of us should be captives. *Signed*, John Bushnell, James Lyon, David Frances, Ebenezer Ingoldsby, Mark Round, Robt. Hilton, John Sweeting, Richd. Bryer, Richd. Brown, John Downing, John Shind. *Copy.* 2½ *pp. Endorsed*, Recd. and read, 30 Nov., 1696. [*Board of Trade.* New England, 8. *Nos.* 29, 29 I.; *and* 36. *pp.* 54-59.]

Sept. 24. **258.** Minutes of General Assembly of Virginia. Councillors were commissioned to swear in the Burgesses, and the House then

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attended the Governor, who congratulated them on so good an attendance and bade them choose their Speaker.

Sept. 25. The Burgesses attended the Governor, who approved of Robert Carter as their Speaker, and then made them a speech, commending to them the King's favour in sending out ammunition and accepting the £500 voted for New York in lieu of the quota. He hoped that all had joined in the day of thanksgiving and that none would be wanting in encouragement to the clergy and the College, and recommended the continuance of the impost on liquors and a levy by poll for the defence of the Colony. [*Board of Trade.* Virginia, 52. *pp.* 12-14.]

Sept. 24. **259.** Minutes of Council of Virginia. Adjourned till a fuller Council be met.

Sept. 25. Mr. Blair resumed his place in Council pursuant to the Royal order. John Lightfoot produced the King's letter for his admission to the Council, but in view of his general ill reputation and known misbehaviour the Council decided that he be not sworn. The Governor laid before Council what he had thought necessary to lay before the Burgesses, particularly in reference to the clergy, when it was agreed that nothing more was necessary. Robert Beverley sworn to act as Clerk Extraordinary to the General Assembly.

Sept. 26. The matter of Mr. Lightfoot's admission to the Council was again considered and deferred for further consideration. The address of the Clergy to the Governor was considered and referred for further consideration. It was thought not proper at this time to lay it before the Burgesses.

Sept. 28. John Childs appointed Messenger to the Burgesses. [*Board of Trade.* Virginia, 53. *pp.* 38-40.]

Sept. 25. Whitehall. **260.** Council of Trade and Plantations to Governor Fletcher. The King having appointed us his Commissioners for promoting the trade of this kingdom and inspecting and improving his plantations in America, it is his pleasure that you give us frequent and full information of the state and condition of the province under your Government, in regard to the administration and commerce, transmitting yearly accounts of their administration by way of journal, together with the Acts of Assembly and accounts of all public money. You will send us by first opportunity a complete list of the Council and of those gentlemen whom you think proper to supply vacancies therein. You will inform us as to the population, freemen and servants, white and black, as to its decrease since your entrance to the Government, and as to the most proper means of preventing the removal of the inhabitants into neighbouring Colonies. You will report to us also the total number of the militia; the commodities exported from the province to England; what trade it has with other countries; how it is furnished with supplies (especially manufactures) which used to be furnished from England; whether the trade has increased or decreased of late years, and the reasons for such increase or decrease; what are the methods for preventing illegal trade and what further methods are advisable; the number of ships and seamen belonging to the province and what sorts of those vessels have been built

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there; what naval stores the province can furnish, and in particular if the tar be as good as that of Sweden; whether there is an increase in the quantity of hemp and tar made in the province, and if not how so profitable a design has been hindered; what other manufactures are found in the province; what quantity of train oil is made in Long Island, and what improvements have been or might be made in any sort of fishery. We have received your letter of 30 May and 10 June, with enclosures, but with no list of those enclosures, which ought to have been sent. The Acts of 25 March to 24 April last also are not under the seal of the province. You will send us an authentic copy, and in future you will send the Acts in authentic form in duplicate. We hope that the presents for the Five Nations have reached you. The remaining matters mentioned in your letters have been laid before the King. *Signed,* Tankerville, Ch. Montague, Jno. Pollexfen, Wm. Trumbull, Ph. Meadows, Jno. Locke. [*Board of Trade.* New York, 52. *pp.* 25-29.]

Sept. 25. **261.** Council of Trade and Plantations to Governor Nicholson. *The letter opens with the same general questions as in the preceding, and continues :*—What number of inhabitants is employed in planting tobacco, and what proportion in other ways, and in what ways? What else besides tobacco is exported to England? What methods are taken to prevent illegal trade, and what further methods would you propose? Is your order in Council, that no ships be cleared in Maryland without giving security to call on the Governor of Virginia, still observed? What success has attended your measures to suppress illegal trade by way of Pennsylvania? What naval stores are there in the province? What manufactures are settled among you? What Indians are on your borders and what are your relations with them? What foreign Indians are those mentioned in the Minutes of Council for 1695, what is their strength and where do they lie? What efforts have been made to convert Indians to Christianity? Are any Indians brought to live among you in a settled way and to learn our language? What has been the success of the treaty made with the Semiquos, Susquehannah and Shevanoe Indians? How many rangers do you employ on your frontiers, what is the nature of their service, and what Indians are joined with them? We shall lay your letters of 18 March and 12 June before the King, with what you desire about a small vessel to cruise on the coast. As to erection of a Court of Exchequer, we suppose that your intentions will be met by the settlement of a Court of Admiralty, as to which we believe some order will speedily be issued. *Signed as the preceding, with the additional name of* J. Somers, C.S. [*Board of Trade.* Maryland, 9. *pp.* 20-23.]

[Sept. 25.] **262.** Statement of Jacob Leisler and Abraham Gouverneur as to the state of New York province since 1687. In 1688 there were in the province about 8,000 families from which might be raised about 12,000 fighting men, from sixteen to sixty years of age. In this year, and for some time before, this Province was under Sir Edmund Andros, Governor of New England, who by his Lieutenant-Governor, Nicholson, and seven or more of his Council

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had the government and raised taxes and exercised other legislative acts without an Assembly. In April 1689 those of New England who were well affected to the Protestant interes seized Sir Edmund Andros and declared in favour of the Revolution, whereupon in May, those of the same interest in New York perceiving that Mr. Nicholson would not declare for King William, the people seized the fort, and the captains of militia by turns commanded, soon afterwards proclaiming the King and Queen. Mr. Nicholson soon afterwards left New York, and the captains then sent circular letters ordering all parts of the province to choose representatives for an Assembly. In June this Assembly met and appointed Captain Leisler first Captain of the fort and later Commander-in-Chief of the province till their Majesties' pleasure should be known. In December there came to New York a messenger with a letter from the King addressed to Francis Nicholson, or, in his absence, to the Government for the time being. This letter was delivered to Captain Leisler, who under its authority undertook the Government and continued Governor for some thirteen months. Soon after receiving this authority he gave such assistance and encouragement to the Indians then in arms against the French, that they took the fort of Cadaraqui. About six months after the loss of this fort the French sent agents to treat with those Indians for a peace. Hearing this Captain Leisler sent likewise one Arnout Vielle, his Indian interpreter, to keep them firm to the English, which was so effectually done that the Indians seized the French agents, destroyed some of them and sent the chief of them, Chevalier D'Eau, to Captain Leisler, who kept him in custody so long as his Government lasted. He was, however, released from confinement by Governor Sloughter and made his escape to Canada. In January, 1690, Captain Ingoldsby arrived in New York with a commission to obey the Commander-in-Chief for the time being, but on his arrival sent Mr. Chidley Brooke and his Lieutenant to Captain Leisler to demand the delivery of the fort to him. Captain Leisler refused, and Ingoldsby then waged war against the fort, while Mr. Brooke threatened many that unless they assisted Ingoldsby they should be treated as rebels. Captain Ingoldsby continued thus for six weeks, calling to his assistance such as had opposed the Revolution, who were, and still are, of the Council. Then in March arrived Colonel Sloughter, who was made Governor of New York, and as soon as Leisler heard of his arrival he sent two persons to congratulate him, whom Colonel Sloughter imprisoned. Notwithstanding this Leisler surrendered the fort next morning; but Governor Sloughter at the instigation of several of his Council treated Leisler and many of his followers as traitors, for not delivering the fort to Captain Ingoldsby, though Ingoldsby by his commission was to obey the Commander-in-Chief. On this treatment of Leisler many fled from New York, but others were imprisoned and indicted for murder, for holding the fort against Captain Ingoldsby. The Court consisted of Mr. Dudley, president of the Council, Mr. Brooke, Captain Ingoldsby and others. Captain Leisler insisted on the King's letter for his justification, but the Court would give no answer unless he and Mr. Milborne consented to plead. This they refused to do. They were accordingly condemned and

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executed; but the whole matter being proved before Parliament in 1694 an Act to reverse their attainder has been passed. While Leisler was still in custody Governor Sloughter called an Assembly, but such as were well affected to Leisler were not admitted, and the Assembly then voted £250 out of the public money to Captain Ingoldsby and another for their services against Leisler. It also voted Leisler's proceedings illegal and demanded his execution, which was granted.

Colonel Sloughter died after five months in the Government, when the Council appointed Captain Ingoldsby to be Governor. During his administration several were prosecuted as rioters for what they had done under Leisler. Some of them, having before given £50 bail for their appearance, came to England to inform the King and Council; and during their absence their estates were seized, their securities prosecuted and four times the value of their bail levied upon them. Others were threatened that unless they pleaded guilty to the indictment for riot they should be proceeded against as traitors, and on their refusal they were kept about eleven months in custody, when they were discharged by the royal order. But notwithstanding that this order commanded not only their persons to be released but their recognisances to be vacated, neither the money nor goods seized upon those recognisances were restored, for Governor Fletcher refused to obey the order unless the prisoners would petition him for discharge, threatening to hang them if they did not. They then petitioned and were discharged, but notwithstanding their petition no part of the goods seized on their recognisances was restored. Governor Fletcher soon after his arrival called an Assembly, but finding that most of those chosen were well affected to Captain Leisler's interest, he refused them and commanded the electors to go to a new election, and when the same members were chosen he declined to admit them, but packed an Assembly of whom he pleased. Towards the end of 1694, the Assembly perceiving that the public taxes and revenue in about three years had been near £40,000 and that the same was generally misapplied, desired the Governor that an account might be given how the money had been disbursed; but the Governor, though at the first meeting of the Assembly he had promised the same, refused to do it, saying it was the Assembly's business to raise the money and the Governor and Council's to lay it out, and that he would give an account thereof to none but the King. The Assembly not being satisfied with this answer, and still insisting upon an account, Governor Fletcher dissolved them. In 1695 Governor Fletcher called a new Assembly but threatened those of the last that if they came to any elections he would shoot them, and thereupon imposed upon the freeholders seamen and soldiers, armed with clubs and bayonets, as electors, and by those electors packed an Assembly, which appointed Mr. Brooke and Mr. Nicolls to come to England as Agents for the province. In 1694 the Assembly gave Governor Fletcher money to repair the fortifications of New York; but the same was neglected and the money misapplied. Besides the above mentioned there have been many more particular abuses committed, too tedious here to be related, and the present Governor, to prevent any discoveries of his maladministration, forces

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such as he suspects may come to England with information of his mismanagement to give bond not to leave the province. We can attest our complaints of what was done relating to Captain Leisler's Government, and have letters to bear out our allegations since his death. *Signed*, Jacob Leisler, Abrah. Gouverneur. 4½ *pp. Endorsed*, Recd. and read 25 Sept., 1696. [*Board of Trade.* New York, 6. *No.* 64.]

[Sept. 25.] **263.** Statement of "Grievances at New York from 1 September, 1692, to 31 October, 1695." (1) Shortly after his arrival Governor Fletcher issued a proclamation that the Queen had ordered the release of the prisoners who had assisted Jacob Leisler; but before issuing the same he had threatened them that if they did not submit, with acknowledgment of fault, he would hang them. (2) Several persons addressed him verbally and by petition for restoration of their arms which were left in the fort at New York when Governor Sloughter arrived, after the insurrection created by Captain Ingoldsby, and Captain Leisler ordered his people, about 300 in all, to lay down their arms. Promise was then made that they should have them again, but this was not performed, but on the contrary the arms were detained from them with great abuses. At first some few men received them back, but afterwards ill councillors prevailed with the Governor, who told the people that they had served an unlawful commander and deserved to be hanged, and that if he had been there he would have hanged every tenth man, so that thenceforward no remedy was to be had. (3) Several persons addressed Governor Fletcher for payment for service done for the King in Captain Leisler's administration, who also were answered with "vilipendations," that they had served a rebel and could expect no pay, but rather punishment. This was always inflamed by the Council, immortal adversaries to Captain Leisler during the late revolution. (4) Persons who had laid out money and goods for the King's service under Leisler's administration could receive no satisfaction, the Council esteeming such goods to be stolen and that they should be repaid by the persons who received them by Leisler's orders. Great dissatisfaction was thus given, the Council drawing no distinction between a time of revolution and another time. (5) Lieutenant John Hutchins, who bore the King's immediate commission, was imprisoned at Albany and sent to New York, where he was suspended by Governor Fletcher and kept out of his pay because he had favoured Leisler's case, having in the first place sent back the people who came to make the insurrection at Captain Ingoldsby's arrival, which was raised by Mr. Dudley and Mr. Brooke, and in the second place having endeavoured to dissuade Governor Sloughter from the execution of Leisler and Milborne, as against his letter to the King for their reprieve and contrary to the King's commission. (6) The unjust and considerable forfeitures taken in a violent manner from Jacob Mauritz and Johannes Provoost for non-appearanee at the Supreme Court, though remitted by the Queen's order, were never repaid nor charged against the Government's debts, only for the oppression of two of Leisler's Counsellors. (7) Major Gerard Beekman, one of Leisler's Council, has been banished in the Government by Governor Fletcher's order, and

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bound to good behaviour in £500, with additional security not to leave the province, only because he sent some money of his own with others to procure from the King a discharge from the dirty actions brought against them upon pretence of law. (8) Peter Delanoy, who was Mayor of New York and Collector during Leisler's administration, was also bound to give his parole not to leave the province, on pretence that the public accounts were paid by order of an unlawful commander, which accounts by Governor Fletcher's order were examined by two of the present Council, his adversaries and opposers of the revolution, and could have no other [examination] though required. So he never had any determination or satisfaction for disbursements for the Government and continues under the same parole. (9) Major Robert Leacock, who had been one of Leisler's Council, was kept a long while prisoner by a constable in the field to prevent him from voting for a member of Assembly; and this was done so as to have in such members only as would be against Leisler's actions. (10) Lieutenant William Churcher, who had been lieutenant in the forts of New York under Leisler's administration was apprehended in the field, and imprisoned, though he came in a decent manner to vote for a Member of Assembly; which was in order to cross the actions done under Leisler. (11) Those persons who under Leisler's administration had been rebellious and factious against the King's interest and the authority then in his Government were advanced to places of trust, while others were kept out, slighted, and named creators of disorders and rebels, especially by the present Council. (12) Most of the present Council and especially those who had been concerned in the late arbitrary Government have been all along opposed to the revolution in the King's interest in New York, bitter enemies of Leisler and the chief promoters of his execution. Their continuation is and will be a grievance. (13) Governor Fletcher by his own actions and by winking at others has obstructed the free election of Members of Assembly, by threats, and calling Leisler's adherents rebels in open field, when they came to give their votes. In the last election soldiers from the fort came in coloured coats and with bayonets, to pass for freemen, and the seamen of H.M.S. Richmond came with clubs to deter people from voting for such members as they would. The major part, suspecting a design against them, went away in dissatisfaction without voting; and this was done to keep out those who favoured Leisler. (14) The elections were obstructed also in several counties by intrigued and undue returns, all for the same ends as aforesaid. Especially were the Governor, Council and others in authority against those who were condemned by the Supreme Court, calling them traitors under the law of condemnation, in spite of the discharge proclaimed by the Royal order. There was no admission of service, as appeared in the person of Major Beekman. (15) Governor Fletcher has always favoured Leisler's adversaries, which was suspected to be augmented by gifts from the magistrates and others, so that the actors in the revolution for the King could have little hope for removal of their grievance and made no further address. Major Richard Panton, one of the Assembly who appointed Leisler to be Commander-in-Chief, was ruined in estate on that account. The rebellious French

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especially were in great esteem. (16) Several persons were brought before the Supreme Court to answer for assisting to execute Leisler's warrant for the arrest of Mr. Nicolls, and were imprisoned. Two of them were condemned by default, and, their attorney being imprisoned, none could answer for them. By a jury of enquiry £500 damage was found; at the next Court the case was admitted for a new trial, which is still to come. So guiltless persons are vexed in law, against the act passed to regulate their pretended damages, only to cross the actors in Leisler's revolution. (17) The burdens of detachments and taxes are extremely pressed upon New York when adjacent places were mostly excused, so that the King's order for them to assist had but little effect. The little money they gave was mostly not employed in defence but spent in other incidentals, whereby our taxes could not be made a penny less. The King graciously eased our burden by paying all the militia at home, which was never done before, but the administrators here augmented the burden so that all the income and taxes were not enough to pay the expense. The Assembly could obtain no satisfactory account thereof, but were told they had nothing whatever to do with it. This caused dissatisfaction. (18) The Dutch Ministers, by what instigation they know, preached against the actors in Leisler's revolution. The people, sensible of their just case, would not endure to hear such sermons. They were opposers of the revolution. The Minister in New York could not find it in his heart to pray for the King and Queen till Leisler gave him a form. When Governor Sloughter arrived and Leisler and all under him imprisoned, the Minister was overjoyed and took his text from the Twenty-seventh Psalm, "He should have perished if he had not hoped to see good in the land of the living," and such like. How instrumental he was at the time of the execution is notorious. The Minister at Albany refused to pray for the King, would do so only for the Crown, would observe no order from Leisler, holds correspondence with a Jesuit calling him "amicus honoratissimus," and saying that they had only war with such who were not on the side of the King, inflamed the people against Leisler, made him black by his letters to Europe (of which he himself was ashamed) boasted that one such letter would destroy him, and was bitterly against the revolution. The Minister of Nassau Island, now dead, was first for the revolution and brought the county unanimous to act; but being afterwards seduced he changed his opinion, created division and was particularly suspected about a contrivance to take the fort for which he was tried, fined and imprisoned, but upon subjection to Leisler released without fine. For this he was much affected to Leisler's execution, made intolerable sermons and died without the least reconciliation. (19) When the Act for reversing the attainder of Leisler and others came to New York, much money was given and collected by the maintainers of the actions of Captain Ingoldsby and others, supposed to be against Leisler and others, under a colour to do good to the province to send some from England to defend their actions, as if they could contend with supreme authority in passing the act. On the return of the Governor, who had been absent at Albany, it was passed by the majority of the Assembly (how arbitrarily chosen has already been

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shown) to send an agent to England and to raise £1,000 to that end. Mr. Nicolls was appointed, an irreconcilable enemy to Leisler, who had uttered threats against his adherents. This caused dissatisfaction. Most people said it was not a free Assembly and would not pay tax for such an Agent, who under colour to act for the province should work out with others their sinister designs. (20) The maintenance of the frontiers at Albany is disliked owing to the ill actions of the Captains, some of whom had two commissions, from the King and from the Governor, creating double payment. The appointed number seldom came there, but sometimes a fourth part and sometimes less; and still when the appointed time expired money was found short, though sufficiently provided for. The fortifications of New York are almost out of repair, the bulwarks not regarded except one by the water-side, which is disposed of to private service. The guns sent by the King are not erected, though £160 was long ago granted by the Assembly for the purpose; there is no powder nor "another warlike affairs" at present in being to resist an enemy, so that no officers upon a sudden invasion are able to defend their posts, there being no public stock for the city required in time of war. (21) The opposers of Leisler's revolution for the most part, by credible information, have given private depositions to clear those at present in authority and declare against Leisler's proceedings, all of which may be easily evinced when known, and are undermining manners—easily to be done when approved by authority. But truth will overcome all, which we know is come to light and will be maintained by the King. *Signed*, John Hutchins, Johannes Provoost, Gabriell Tomasen, Abraham Brassier, William Churcher, Meyndert Hoerten, Gerardus Beeckman. 7 *pp. The composition is so intricate as to be frequently almost unintelligible. Endorsed*, Read 25 Sept., 1696. [*Board of Trade.* New York, 6. *No.* 65.]

[Sept. 25.] **264.** Sir Henry Ashurst's instructions for William Partridge and Robert Lamb, Commissioners for reporting on the condition of Massachusetts in relation to the supply of Naval stores for the Royal Navy. Seventeen articles. These differ little in substance from those already given to the English Commissioners (*see No.* 182 II.), containing only strict injunctions to enquire as to the defects found in the Naval stores already sent over and as to the means of remedying them, and more special directions as to the samples to be sent over and the payment for the same. Articles are proposed to supersede the two last clauses of the Admiralty's instructions. 2½ *pp. Endorsed*, Recd. and read 25 Sept., 1696. [*Board of Trade.* New England, 8. *No.* 30; *and* 36. *pp.* 38-43.]

Sept. 28. **265.** Minutes of General Assembly of Virginia. John Childs appointed Messenger to the Burgesses. Address of the Burgesses to the Governor in reply to his speech, asking him to appoint the Assembly a day of thanksgiving, also to communicate to them a list of the stores of war, and the royal orders and instructions alluded to in his speech. Answer of the Governor appointing next Tuesday as a day of prayer and thanksgiving to be kept by the Assembly. [*Board of Trade.* Virginia, 52. *pp.* 14-16.]

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Sept. 28. **266.** Journal of Council of Trade and Plantations. The Secretary laid before the Board several papers received from Mr. Povey. A memorial from the Barbados merchants as to convoys was read, with which the Board disagreed. Order for Mr. Povey to inform the Board what was done upon Governor Fletcher's request for military stores of 2 Sept., 1695. Order for Sir Henry Ashurst to attend on Friday or Monday next. [*Board of Trade.* Journal, 9. *pp.* 146-148.]

Sept. 28. **267.** Memorial of Merchants trading to Barbados to Council of Trade and Plantations. In the matter of convoys we would represent that there is a necessity for better carrying on the trade to Barbados. We ask for one man-of-war to convoy the outward-bound fleet thither, which shall sail from the Downs on 30 November; for three men-of-war to convoy an outward-bound fleet from the Downs on 31 January; that these men-of-war may be allowed to stay eighty days at the Island to give time for unloading and re-loading the merchantmen, that the return-fleets may be convoyed by the like number of men-of-war, and that the crews of the merchantmen may be protected from impressment. *Twenty-one signatures.* 1 *p. Endorsed,* 28 Sept., 1696. [*Board of Trade.* Barbados, 7. *No* . 11; *and* 44 A. *pp.* 5-6.]

Sept. 28. **268.** Journal of House of Burgesses of Maryland. Message from the Governor and Council making the following proposals:— (1) Amendment of the law for making a list of taxables. Resolved that the present law is sufficient. (2) Amendment of the Act for election of burgesses. Resolved that the present Act is sufficient. Proposal for a ferry over Kent Island negatived. Ordered that a bill be prepared to annex the Commissary's office to the clergy of the province. Proposal for a bill to amend the Militia Act negatived. Bill relating to bail in cases of trespass read a first time. Resolved that a letter be written to thank the noblemen and gentlemen who wrote by last fleet, for their interest in the province. Bills for parochial libraries and for speedy relief of creditors, with the bills for speedy justice and revival of temporary laws, sent up to Council. The Committee reported as to the funds disposable for building the church at Annapolis, and that the only means of raising money was to appeal to the charitable. The House thought that a smaller church than that proposed should be built. Captain Thomas Ely's case, as to duty to be paid on imported negroes, decided. Order for the bounds of Baltimore and Anne Arundel counties to be run out. Message from the Governor and Council that £50 be paid to Sir Thomas Laurence for salary as President of the Council for three months, the money to be paid from the £300 refunded by Sir Edmund Andros. The House concurred. Lord Baltimore's counsel heard on the bill for relief of legatees, and the bill unanimously passed.

Sept. 29. Message to the Council, asking that the Acts for an additional duty of threepence per hogshead and the Act reviving the same for three years may be repealed, and new Acts passed continuing the original duty of threepence during Governor Nicholson's government, and the additional threepence until the 12th of May, 1698. Bill for the port of Annapolis sent up to

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Council. Bill as to the Commissary's office read a first time and committed. A standing Committee appointed to inspect the laws. Resolved, on a proposal to the House, that the trustees of the free schools meet and decide upon the building. Four new members gave subscriptions to the fund for the same. Resolved to send a present to Dr. Bray for his endeavours to collect parochial libraries. Message from the Governor and Council, shewing that the merchants' petition as to the ten *per cent.* duty cannot be granted, nor can the Act for revival of temporary laws be passed, both being contrary to the Royal instructions. Resolved that Burley and Mason, though pardoned, should give security to pay their fees to the province before they are discharged. Bills for parochial libraries and for speedy relief of creditors agreed to and sent to Council. Resolved that the merchants of New York shall pay the ten *per cent.* duty. Bill as to the Commissary read a second time.

Sept. 30. Resolved that Burley and Mason repay the expenses of obtaining their pardon. Commissary's Bill read a third time. In the matter of encouragement to Mr. Geddes, the schoolmaster sent out by the Bishop of London, advised that he be set to read prayers in some parish where no minister is, and be paid as a minister. Message from the Council pointing out that the Burgesses' message as to the additional duty of threepence is already answered by the reference to the Royal instructions. The House approved of an amendment to the resolution as to the church. Other ordinances and addresses slightly amended. Bill for marking of roads read the third time. Resolved that the threepence additional duty be devoted for one year to the building of the church, and that £200 of the money due from Sir Edmund Andros be applied to the use of the free schools. Message to the Governor and Council:—We cannot assent to the proposal for imposing an additional threepence per hogshead without doing violence to our feelings; but we have passed resolutions for the support of the church and the free schools to shew our good will thereto. We beg the Council to join us in an address to the King for the relief of several persons under penal navigation bonds. *Message ends.* Further message to the Council asking for despatch of the bills before them. Gerard Slye's petition rejected. Resolved to address the King not to disallow the Act of Religion, if disapproved, until he has signified his pleasure how he would have it altered. Message from the Governor and Council:—The Governor assents to the House's answer as to the additional duty of threepence, not being so dogmatical as to think himself infallible, though the House has shewn no reason against his proposal. As to the navigation bonds, nothing can be legally done until judgment be passed, when the Governor will suspend execution and the Council will join the House in an address to the King. As to the address to the King for a frigate, if any damage be done, the fault will lie at their own doors. The House, having refused to give a present to Mr. Bray, is asked whether it expects people to do their business for nothing; wherefore the Governor sends two letters from Mr. Bray for the House's perusal. Since the House thinks the Militia Act sufficient, the Governor begs the Burgesses to see that it is enforced. As to Sir Thomas Laurence, he accepts £50 voted to him for his presidency as his due, but declines to accept the £50 offered to

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him conditionally on his procuring the passing of the Acts as to religion, as to schools, and as to advancement of coin. *Message ends.* Certain payments ordered and petitions dealt with. Resolved that if Mr. Bladen obtain a printer and press he shall have the sole benefit thereof; and the Council is asked to concur herein.

Oct. 1. Message from the Governor and Council, suggesting a slight amendment in one of the addresses to the King, proposing that the House authorise an agreement to be made for a ferry over Kent Island, and asking for an answer as to the Rangers paying for their arms. Sir Thomas Laurence added to the message that though he had recovered £300 for the country, he had received nothing for his services. It is therefore proposed to the House that Councillors in lieu of daily pay for their attendance shall receive an annual salary. Another message from the Governor and Council. (1) As to the Act for making the town of Doncaster, care should be taken that the province's ships ride together in some convenient place and do not lie straggling; (2) Proposed that something be given to Mr. Geddes out of the Act for furs, etc.; (3) Proposed that the church be built according to the present plan, as the funds in hand will almost pay for the outside and the Governor hopes to obtain donations from England. *Message ends.* Another message from the Governor, proposing that an ordinance pass to satisfy people's minds by publishing certain facts in order to silence malicious reports. Hereupon the House resolved that such an ordinance do pass. As to the rest of the above proposals: (1) The House desires that ships may ride as best suits their trade; (2) The House adheres to its previous resolution; (3) The House leaves the matter to the Governor, provided the province be put to no further charge than it has approved. As to Sir Thomas Laurence, the House thinks that it has sufficiently gratified him, and that the question of Councillors' salaries should be deferred to next session.

Oct. 2. Several petitions received, and one of them, relating to navigation bonds, referred to the Council with a recommendation to the Governor's good offices. Resolved that is a great grievance that more time is not allowed to those persons who have been impleaded upon their navigation bonds. The ordinance for quieting the minds of the people was sent up to Council, and returned with a proposed amendment to the effect that the Governor had never called Assemblies except when necessary, nor made use of public money, the money now paid to him being that which he lent to the country without interest. Message from the Burgesses accepting the amendment, and declaring that he has always borne himself with uprightness and generosity to the country. The House then attended the Governor, and the following bills received his assent:— Bill relating to the Commissary's office, Bill for parochial libraries, Bill for the port of Annapolis, Bill for marking roads, Bill as to bail in cases of trespass, Bill for relief of creditors, Bill for a public levy. The addresses passed to the King were then signed. The Governor then said that he had found much difficulty in reclaiming the insolencies of several persons, but that good laws were useless unless enforced, whereupon he charged the magistrates strictly to enforce the laws against vice. He then prorogued the Assembly to 23 March. [*America and West Indies.* 557. *No.* 17.]

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Sept. 28. **269.** Minutes of Council of Maryland in Assembly. Bill for relief of creditors read a first time and amended. Bills for parochial libraries and for speedy justice read a second time. A message recommending payment of £50 to Sir Thomas Laurence sent to the Burgesses (*pp.* 138-139).

Sept. 29. A message with various proposals to the Burgeses prepared (*see preceding abstract*, 1 October), also a message intimating that the Royal instructions stand in the way of two of the Burgesses' proposals (*ibid.*, 29 Sept.) (*pp.* 133-135). Resolution of the Burgesses as to appointment of County Court Clerks approved, and a proposal sent to them to reward Mr. Bray (*p.* 140).

Sept. 30. Account of the arms, etc., and of the division thereof between the counties, sent down to the Burgesses and approved by them. Message from the Burgesses as to the proposed additional duty of threepence per hogshead, with the Governor's reply thereto. Other resolves of the Burgesses on the Council's proposals also read (*see preceding abstract*) (*pp.* 141-147).

Oct. 1. Proposal sent down to the Burgesses as to an ordinance to quiet the minds of the people; and also a message on several points (*see preceding abstract*) (*pp.* 147-149). William Bladen's proposal as to a printing press received from the Burgesses (*p.* 152).

Oct. 2. The ordinance for quieting people's minds was received from the Burgesses, and an amendment proposed to it, which was heartily accepted by them. The Burgesses' answers to the points of yesterday's message received. The Council pointed out that the proposal as to the Rangers was insufficiently answered, those as to Mr. Bray and as to ferries not answered at all, and that as to ships riding where they would, so answered as to be unacceptable. The Burgesses then agreed with the Council as to the Rangers, but declined to recede as to the remaining points. The Council and Burgesses then inspected the state-house, the building, and reported the work to be good. On the passing of the ordinance for quieting the minds of the people, a member reported that he had known John Coode in England, that he was minister at Penryn and was turned out. The addresses to the King were then signed and the Acts assented to. The map of the town and port of Annapolis was then sealed, also the pardon to Mason and Burley. The Treasurers and others swore to their accounts. The Governor then made a speech to prorogue the Assembly (*see preceding abstract*) (*pp.* 149-157). [*Board of Trade.* Maryland, 14. *pp. as cited.*]

[Oct. 2.] **270.** Duplicate copy of the Journal of Council of Maryland, in Assembly, 16 September to 2 October, 1699. [*America and West Indies.* 557. *No.* 18.]

[Oct. 2.] **271.** Copy of the laws passed in the Assembly of Maryland in the session of 16 September to 2 October. [*America and West Indies.* 557. *No.* 19.]

Sept. 28. **272.** Minutes of Council of Maryland. Oath appointed for Collectors and Naval Officers.

Sept. 29. Proclamation for cancelling the prohibition, of 15th October last, of the exportation of corn.

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Sept. 30. Order for the prosecution of Thomas Hedge for bigamy, and of Lieutenant-Colonel Cole for performing the office, knowing him to be already married.

Oct. 2. Several masters of ships appeared in support of a petition for longer time to procure certificates; but the Governor declined to stop the current of the law.

Oct. 3. Order for no allowances to be made in the public levy, which are not authorised by law, several justices having taken upon themselves to grant such allowances. The complaint of the Baltimore County Burgesses against the encroachment of Delaware Indians was heard, a copy of their petition ordered to be sent to Governor William Markham, of Pennsylvania, with a request that he will see the Indians and find out what they have to say in excuse. Order for the County Court Clerks to report accurately at what hours the Courts sit and rise, and whether all the justices sitting do actually continue sitting during those hours. [*Board of Trade.* Maryland, 18. *pp.* 160-165.]

Sept. 28. **273.** Journal of House of Burgesses of Virginia. The Governor's speech was considered in Committee of the whole House, and the heads of an Address in reply upon certain matters resolved on, the rest of his recommendations being referred to the Committee of Grievances for report. Reports as to disputed elections, and orders given as to the proceedings of the Committee of Claims and of Grievances. The Speaker was requested to move the Governor that Mr. Cope Doyley might read Divine Service during this Session.

Sept. 29. Address to the Governor read and approved, to the following effect. We thank you for your speech, and we ask you to appoint a day of public thanksgiving, and to communicate to us an account of the stores of war sent by the King, to whom we feel all becoming gratitude. *Address ends.* John Childs produced the Governor's commission to him to be Messenger to the Burgesses, and was admitted. Several grievances and propositions referred to the Committee. The Speaker reported the Governor's appointment of Mr. Cope Doyley to read Divine Service.

Sept. 30. A disputed election was decided and the members sworn. A first report of the Committee of Grievances was read, and orders given to prepare bills for redressing certain of those grievances. The Governor sent down an account of the stores of war and a short message appointing a day of public thanksgiving. Further consideration of grievances and propositions. Resolved to address the Governor that no one person be allowed to take up more than 400 acres of land to the South of the Blackwater, and ordered that certain bills be prepared.

Oct. 1. Several claims, grievances and propositions were read and referred to the Committees. Several reports from the Committee of Grievances considered and orders given thereupon, including the preparation of a bill for maintenance of the Clergy. Order for a return to be made of the receipts from the duty of fourpence a gallon on liquors imported.

Oct. 2. Several of the bills ordered were presented at the table. Address to the Governor to limit the amount of land, to be taken up by any one person on the South of the Blackwater, to 400 acres was read

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and agreed to. A further report from the Committee of Grievances was considered, and orders given for the preparation of several bills. Several petitions for salaries were referred to the Committee of Claims. The following bills were read a first time and ordered a second reading: to alter Court-days in Accomack County; to reward Indians for killing wolves; to ascertain the value of money; to repeal the prohibition to plant tobacco; to punish fornication and other crimes; to ascertain fees of County Court Clerks upon probates etc.

Oct. 3. Message from the Council agreeing to a conference as to securing the stores of war, upon which the House appointed six members to be its managers therein. Several petitions for payments referred to the Committee of Claims. Bills for maintenance of the clergy and for dividing King and Queen County were read a first time and ordered a second reading. A further report from the Committee of Grievances was read, and orders given for preparing certain bills in accordance therewith. The bills concerning Accomack County Court, to ascertain the value of money, to ascertain fees of County Court Clerks and Sheriffs, to repeal the prohibition against planting tobacco, and to reward Indians for killing wolves, were read a second time, amended and ordered for third reading. The bill to punish fornication etc. was read a second time and referred to a Committee. [*Board of Trade.* Virginia, 52. *pp.* 206-231.]

Sept. 28. **274.** Minutes of General Assembly of Massachusetts. Several petitions read and sent to the Representatives, also a report by a Committee on several former petitions. Bill for incorporation of Harvard College again debated.

Sept. 29. Bills for equal distribution of insolvent estates and for subjecting lands to payment of debts, with the amendments directed by the Privy Council, were read and debated, also the Act for punishing of capital offenders.

Sept. 30. The Conference deferred till this day was again postponed to the 2nd of October. Bill to establish Courts received from the Representatives and read.

Oct. 1. Bill to establish Courts read a second time and debated. The Representatives sent up their votes in the case of John Wilkins, to the effect that his complaint was well founded, that the Justices and other officers should be admonished by the Lieutenant-Governor in the face of the whole Assembly, and that the Justices should repay Wilkins his losses through their judgment and his costs. The Council after debate voted non-concurrence with this decision.

Oct. 2. Bill for incorporation of Harvard College debated, and on a vote not concurred with. Bill to continue the late Acts for Establishment of Courts and of forms of writs till the end of the Sessions in May read, and ordered to be engrossed. On intelligence of the desertion of Woodstock by the inhabitants, it was ordered that the town be accounted a frontier and subjected to the Act to prevent desertion of the frontiers. On the petition of the people of Martha's Vineyard and Nantucket Island for remission of their arrears towards the tax, it was ordered that the remission be granted on their expending each £150 on the fortification of the Islands. Conference between the Council and Representatives on the cases of Samuel Gibson and Joseph Richardson.

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Oct. 3. Bill to prohibit exportation of grain and malting of barley read, and ordered to be engrossed and enacted The Bill to revise the Acts as to Courts and forms of writs was read, amended and enacted. Bill for a more speedy supply of the Treasury till a tax can be raised, received from the Representatives, read, ordered to be engrossed, and enacted. The complaint of Nathaniel Oliver against the Justices of the inferior Court of Martha's Vineyard, and the reply of the Justices thereto, were heard. Adjourned to 18th of November. [*Board of Trade.* New England, 48. *pp.* 78-84.]

Sept. 29. Whitehall. **275.** William Popple to Sir Robert Cotton and Thomas Frankland, Postmasters-General. Enclosing a packet for transmission to Governor Sir Edmund Andros. [*Board of Trade.* Plantations General, 34. *p.* 59.]

Sept. 29. Whitehall. **276.** William Popple to Governor Sir Edmund Andros. Enclosing letters from the Council of Trade and Plantations with the letters for the Governors of Maryland and Virginia. [*Board of Trade.* Virginia, 37. *p.* 19.]

Sept. 29. Barbados. **277.** President and Council of Barbados to Council of Trade and Plantations. H.M.S. Jersey returned from the Leeward Islands on the 17th inst. and brought us letters from Governor Codrington, reporting that, according to intelligence of French prisoners, the enemy had twelve men-of-war and two bomb-vessels lately arrived at Hispaniola, designed against St. Domingo, and twelve or fourteen men of war at Canada to destroy the trade on the coast of New England and then bear up hither to attempt this and other English Islands. The intelligence as to Canada is confirmed by the master of a ship lately arrived from Boston. This news has set us to vigorous preparations for defence, the more so that on the 17th inst. we discovered six large ships off the south-east of this Island. H.M.S. Jersey went out to discover what they were, but missed them owing to nightfall and returned next day. We conjecture them to be French ships either from France or Canada, who have come down to this latitude on their way to Martinique to take what they could meet with on the east and south side of the Island, while the rest of their force may be to northward. On the 23rd inst., a ship came in from Boston, the master of whom swore that, when he left Boston on the 12th of August, there was no news of a French squadron at Canada. But we think it safer not to trust negative information in the face of that sent us by Governor Codrington. We send this by way of the Leeward Islands, to tell you that unless the stores requested by Governor Russell be supplied, these Islands may be in danger. *Signed*, Fran. Bond, Prdt. John Hallett, John Gibbes, Edw. Cranfield, John Farmer, Geo. Lillington, Geo. Andrews, Pat. Mein, B. Hothersall. 1¼ *pp. Endorsed*, Recd. 15th, Read 18th January, 1696-7. Answered, 12 Feb. *A short abstract is attached.* [*Board of Trade.* Barbados, 7. *No.* 12; *and* 44A. *pp.* 43-45.]

Sept. 29. **278.** Minutes of Council of Barbados. Order for H.M.S. Jersey to be despatched to Governor Codrington with letters. A sloop appointed to go out and gain intelligence of the French. Three of the Council signified their dissent to the resolution to send the

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French prisoners to Europe. A petition of Charles Thomas, reflecting on the Council, was postponed for further consideration. The Naval Officer's accounts were brought in to Council.

Sept. 30. The Assembly attending proposed that a Council of War should be held, that articles of war be drawn up and that all other matters be postponed till the Island is in a posture of defence. The Council agreed. A committee appointed to hire a sloop to gain intelligence of the French. Proclamation for the keeping of the peace ordered. The Assembly at its own request was adjourned.

Oct. 1. A Surveyor-General of the fortifications appointed, with salary of £100. Agreed that the Councillors sit in the Council of War. [*Board of Trade.* Barbados, 65. *pp.* 143-146.]

Sept. 30. **279.** Memorandum of a petition of Ralph Lane, sent by Mr. Povey 30 September, read 1 October, delivered to Clerks of Council 16 December, 1696. ¼ *p.* [*Board of Trade.* Barbados, 7. *No.* 13.]

Sept. 30. **280.** Minutes of Assembly of Nevis. A committee was appointed to draw up the proceedings of the Assembly and a justification of the same, to be sent to the Agents in London. [*Board of Trade.* Leeward Islands, 64. *pp.* 388-389.]

Sept. 30. Antigua. **281.** Governor Codrington to Council of Trade and Plantations. This goes by H.M.S. Hastings, which also carries home the Association, signed by all the officers of the Government and the principal inhabitants. Pray present it, together with our address of congratulation, to the King. It comes from but a handful of people, but from people who are ready to venture their all for the King and have shewn their readiness during the present war. Lieutenant-General Hill wrote five days ago from St. Christophers that a Nevis sloop brought intelligence from St. Thomas that the French had certainly twelve men-of-war then at Petit Guavos, which were reported to have designs against either St. Domingo, Curaçoa or Jamaica. This is the strength which I reported to you in my last letter, but whether the French have a further force arrived at Canada for attack on New England I cannot yet learn, though I shall be careful to gather intelligence and send it to you. The Hastings and the privateers fitted out in Antigua have so discouraged the enemy's privateers that in a manner we live in security, whereas not many months since we had hardly a vessel that had escaped them, the Chester being then unable to cruise for our defence. It is absolutely necessary for the safety of this Government that there should be always at least two good-sailing men-of-war to cruise here for our defence, which not only would be a great encouragement to the inhabitants but a great countenance to our privateers. If the French naval strength be increased, ours should be increased likewise. The clothes and recruits, and the regulations of the King for the pay of the Regiment, which have arrived here under convoy of the Colchester, have altered the face of the soldiers to a cheerful countenance. Notwithstanding the daily sickness of these Islands, due to unusual heavy rains, the Regiment is complete according to the new establishment. I mustered it myself last

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month. *Signed*, Chr. Codrington. 2½ *pp. Endorsed*, Recd. and read 5 Feb., 1696-7. Answd. 12 Feb., 1696-7. [*Board of Trade.* Leeward Islands, 5. *No.* 11; *and* 45, *pp.* 46-50.]

Sept. 30. Newcastle. **282.** Lieutenant-Governor Usher to Lords of Trade and Plantations. You will receive the Minutes of Council since mine of November last, wherein you will see that the Council of New Hampshire lose a country rather than advance money. I find provisions for six months for forty-six men out of my own estate, otherwise the places must have been deserted, though I have not one penny interest among them. Though I laid before them in July the necessity for raising money, they passed a bill for £600 for fifty men from Boston and to pay debts, or for maintaining only thirty men in garrison. On this I sent for both Houses and desired to know their meaning as to thirty men, asking whether, if the Commander-in-Chief see cause to impress forty men besides the thirty, they would be paid out of the £600. The answer was "No." I then told them that I had visited the garrisons and had consulted the militia officers, and that all agreed that it was absolutely necessary to continue forty men; that they were going to infringe the King's prerogative by tying the number up to thirty men, and that therefore I could not accept the bill. The Assembly desired the bill to consider of, and in a little time came up again and declared that they would not alter it; upon which they were dissolved and commanded to attend at Newcastle, nor depart without leave. Having accounts from England that I am charged with irregularities and ill conduct, I desired both Houses to say if they knew of any. They declared "No," as the minutes shew. I desire your Lordships to cast an eye on all my proceedings in the Minutes of Council from March to this day. The Assembly not raising money, poor men being impressed and having no clothes nor any to trust them, I impressed several principal men to serve or pay four pounds, and on their refusing to pay they were sent to garrison, there to remain till further orders from myself or the Commander-in-Chief. No sooner was I gone out of the province than the rich men were released and the poor men, which had been two or three months [on service], continued, all to contradict my warrants. The rich men had an Association tendered them to sign, and they only refused to sign it. This month I called an Assembly to raise money and laid before them a particular account how the country was in debt £700, and how it was requisite to raise £700 more for time to come. They raised £600, and would raise no more. I then laid before them how by virtue of the King's commission they raised money for defraying town-charges and for maintenance of ministers, and demanded that they would raise money out of respect for and support of that Commission. They would not raise one penny. On the 28th inst. a company of men in arms declared that they would obey no Commission, that they would go and seize the fort, hoist the King's flag, and see who dared come there, saying one and all (*sic*). The chief of them are seized and committed. Account of all this and the true state of the province will be laid before you by Captain Shadrach Walton, who goes by this conveyance.

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If the King does not send early next spring a hundred men for this place, I believe the French will be masters of it. Had not God strangely diverted them, they had been masters last summer. I therefore entreat that a hundred men may be, and that Captain Walton may command them, he being the only loyal person who has stood by me. It is by him that I have continued the King's Government till to-day. For his loyalty and that only he has been a sufferer both in estate and name. He has been a real medicine to the King's Commission. I myself have been so abused that at grass three several times I have had three several horses shot and wounded. The next I expect to be my person. When the ships are gone I shall go to Boston, there to remain till I hear from you, judging myself not safe here. In the late Act as to Trade, it is said that all Governors are to take an oath by March next, under penalty, etc. I desire that someone may be commissioned to administer the oath, though to this day I have observed all Acts, as though I had taken the oaths, which has made me uneasy in my place to the inhabitants. It is hard for me to maintain the honour of the King's Commission out of my own estate in a place where the King is immediately concerned, likewise to have the whole burden of Government on my shoulders alone. I beg that you will consider this and give me some relief. On news of the defeat of the plot against the King I at once proclaimed a day of thanksgiving. I have also published the new Act of Trade immediately. I have also received an Association from Whitehall. Major William Vaughan, Richard Waldern, Joshua Moody and one Mr. Penhallow refused to sign it. I beg that if there be any complaint against me I may be ordered to attend you till I have answered it. *Signed*, John Usher. 1½ *pp.* *Endorsed*, Recd. 30 Nov., 1696. Read 7 Dec. *A very brief précis is attached to the letter.* [*Board of Trade.* New England, 8. *No.* 31; *and* 36. *pp.* 65-68.]

Sept. 30. Newcastle.

283. Lieutenant-Governor Usher to Lords of Trade and Plantations. I send an account of my proceedings with Major William Vaughan and Mr. Richard Waldern, together with my reasons for the same. What pretence they may make for refusing to take the oath and sign the Association I know not, but upon honour they gave me no other answer than that herewith sent, attested by the secretary. Makers of laws should be observers of laws. The law says that any refusing to take the oath shall pay not exceeding forty shillings, and be sent to prison till they give bond for good behaviour. The country will provide no prison nor house of correction, and therefore the country will not provide for the execution of the law. I am therefore obliged to put a stop to further giving of the oaths lest more should refuse them, and the law be trampled on. For the truth of the matter I refer you to Captain Shadrach Walton. I must add that these persons are they who occasion all the disturbance in the province, have put every imaginable affront on the King's Commission and in particular upon myself, and have done all they can to make the people uneasy towards the King's government. I hope that you will confirm what

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I have done. *Signed*, John Usher. ¾ *p.* *Endorsed*, Recd. 30 Nov. Read 7 Dec., 1696. *Annexed*,

283. 1. Minutes of proceedings at Newcastle, 10 September, 1696. The Lieutenant-Governor demanded the attendance of Major William Vaughan and Mr. Richard Waldern, and asked if they had taken the oaths of allegiance according to law. They answered that if they had made a breach of the law they would be called to account by the law and not by the Lieutenant-Governor. George Jaffryes, justice of the peace, testified that he had tendered the oaths to these gentlemen and that they had refused it. The Lieutenant-Governor asked them whether the Association had been tendered to them and whether they had signed it. They answered that it had been tendered to them but that they had not signed it; it was not to be commanded, and they were not going to sign among tag rag and bobtail. The Lieutenant-Governor thereupon made out an order for their suspension from the Council. Major Vaughan and Mr. Waldern asked for what reason they were suspended. The Lieutenant-Governor said he would report the reason to the King; the matter of fact against them was that to which they had answered.

Reasons for the suspension of Major Vaughan and Mr. Waldern from the Council. Setting forth at rather greater length their refusal to take the oath, as required by local Act, and to sign the Association as required by Act of Parliament. Vaughan and Waldern were both of the Committee of Council which drew up the bill for all persons to take the oath. *The whole*, 2½ *pp.* *Endorsed*, Recd. 30 Nov. Read 7 Dec., 1696. [*Board of Trade.* New England, 8. *Nos.* 32, 32 1.; *and* (*without enclosure*) 36. *pp.* 62-63.]

Sept. 33. Newcastle. **284.** Lieutenant-Governor Usher to Lords of Trade and Plantations. One Captain Samuel Mould in February last applied to me for a privateer's commission, which I granted to him with orders to bring his prizes into the port of his commission. Having taken several prizes, he has carried them into Boston, and on my demanding that he should bring them into his commission-port, he refused. I thereupon wrote to Lieutenant-Governor Stoughton a letter, of which I enclose copy. What will be done I know not; but no doubt you will hear from him by this conveyance. *Signed*, John Usher. ½ *p.* *Endorsed*, Recd. 30 Nov. Read 7 Dec., 1696. *Annexed*,

284. 1. Lieutenant-Governor Usher to Lieutenant-Governor Stoughton. Newcastle, 28 September, 1696. A declaration that he had issued a privateer's commission to Samuel Mould, who had given bond in £2,000 to bring his prizes to his commission-port; that Mould had nevertheless taken his prizes to Boston, and had refused, when ordered, to send them to his commission-port.

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Lieutenant-Governor Usher therefore requests that the prizes may be ordered to come to New Hampshire, or that they may be received and detained until condemned by some lawfully established prize-court. *Copy.* ¾ *p.* [*Board of Trade.* New England, 8. *Nos.* 33, 33 I.; *and* (*without enclosure*) 36. *p.* 64.]

Sept. 30. Newcastle.

285. Lieutenant-Governor Usher to Lords of Trade and Plantations. This comes by the hand of Captain Shadrach Walton, who was for his loyalty put into the Council by me, but no sooner put in than, by the malicious instigation of some persons, he was prosecuted by the General Assembly as unfit to hold any public place because of a high misdemeanour. Being highly charged, I was not willing to disoblige so sage an Assembly, so granted a hearing, when I heard but one evidence against him, and he was acquitted by myself and Council. They would have had him tried again upon the same evidence, on which I sent a message to their house to serve writs and precepts for evidences, when they had no more to say and let it fall. He being cleared, many of the Council pressed me to dismiss him. I declared that I could not, but on his petitioning for dismission, and the Council declaring that it was for safety and quiet of the place, I granted it. He then asked to know if he was dismissed from the commission of the peace and the King's fort. I answered that no one was more fit to serve the King than he; so that all this is out of malice because he is a loyal person, and the truth is that there is none true to the King's government like him. After his dismissal I advised him to go to England and lay his case before you, not doubting that one so loyal will meet with your favour. He is a man who may be trusted with the King's fort and stores, and I beg that 100 men may be sent here to guard that fort and to secure this province more firmly to the King, and that Captain Walton may have a commission to command them. I have discoursed with him about all public affairs and ordered him to give you an account of them. You may give credence to what he says. Captain Mould, who had a privateer's commission from me, has taken his prizes into Boston, contrary to his commission, and I have written to Mr. Stoughton to send them to me or detain them until properly condemned. I beg your attention hereto. A considerable sum is due to the King for prizes, and if the King will order me money from the same or from some other fund I shall be thankful, so that I may have something for what is past and for time to come to support the King's Commission. I beg you to call upon Mr. Wallis, Mr. Newton and Mr. John Love to give you an account of the state of New England. My Lords, my estate is wasted for support of the honour of the government; my spirit is sunk within me to have to do with a disloyal people that is for no king at all *de facto*. I have none to strengthen my hands; I must see the the King lose a Government wherein he is most interested in these parts—I am brought to Lord have mercy upon me. I beg that after four years' Algier captivity I may have deliverance. *Signed,* John Usher. 1¼ *pp. Endorsed,* Recd. and read 9 Dec., 1696. *A short précis is attached to the letter.* [*Board of Trade.* New England, 8. *No.* 34; *and* 36. *pp.* 71-73.]

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Sept. 30. **286.** Council of Trade to the Lords Justices of England. We have read the papers referred to us by your order of 20 August, and offer the following remarks on the state of the Northern Colonies of America. We find that the King has been at the charge of sending four companies from hence to New York and for maintaining them there for these many years past. We are also told (for we cannot yet get a sight of the accounts) that that little province, besides the losses sustained at sea, has by Governor Fletcher's account been at over £30,000 charge in securing its frontier against the French and Indians. This burden being thought too heavy to be borne by one province, which is as it were the outguard of the rest, the late Queen wrote to the Governors of New England, Virginia, Maryland and Pennsylvania, to agree upon a quota of men to be given by each Colony for defence of New York; but by the neglect or pretences of the various Colonies no agreement was arrived at, and accordingly the Queen in 1694 established the quota to be supplied by each province and gave orders accordingly. But these orders by reason of the distinct and independent governments and interests of the provinces have been very uncertainly and imperfectly complied with; some provinces sending more, some less, in proportion of their quotas, and some none at all. The King has subjects enough in those parts not only to defend themselves against any attack of French and Indians, but they are so crumbled into little governments and so disunited in their interests that they have hitherto afforded but little assistance to each other and seem, as they now are, to be but in an ill. posture and much worse disposition to do it for the future. It is almost incredible that the Governor of New York, in the middle of above 40,000 English that he has in his neighbourhood, should say, as he does, that he has only the companies in the King's pay that he can rely on for defence of the frontier in case of attack by the French.

Having given the matter our best consideration we offer our opinion as follows:—(1) There is force enough in those Colonies to repel all attempts made by the French and Indians, nor can it be imagined that so great a number of English should think it much to employ their own hands and purses in the defence of their estates, lives and families, and should expect to be wholly supported from England, which has spent so much blood and treasure in carrying on a lasting and expensive war. (2) We conceive that the English strength there cannot be used with the advantage that it ought unless the Colonies be united, not even though the King should send more forces from hence; for if, as Governor Fletcher urges, the soldiers in the King's pay there be made up to full 500 men, that might indeed suffice to secure Albany but not the other plantations, since the French would certainly decline that fortress and attempt one of the other Colonies, careless of their own defence and not so well guarded. (3) A great part of the country having been granted out to proprietors, it cannot possibly be united under one Governor. We see no other way of uniting the forces of all those small plantations for the effectual preservation of the whole but by putting them all under one military head or Captain-General, which common reason as well as legal opinion maintains that

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he can do. *Here follows a quotation from the opinion given in* 1694 *by the Attorney and Solicitor-General, that the King may appoint a General Commander-in-Chief of the forces in the Chartered Colonies.* We would therefore represent that we cannot conceive how these provinces can be preserved unless the King appoint during the war some active, vigilant officer to be Captain-General of all his forces and all the militia of all the provinces, with power to levy, arm, and muster them, and employ them for defence under such restrictions as the King shall think fit, and also with power to commission officers to train the said forces. Since, however, the Quakers in some of the provinces out of mistake or pretence of conscience refuse their personal aid in the case of force against their own and the King's enemies, it may be left to the Captain-General to accept money in lieu of personal service, for the payment of any men that he may find necessary to raise. (4) We think further that the Captain-General should have the power of Governor in any province immediately depending on the Crown so long as he remains in it. Unless this be done we see not how the provinces can be preserved, for since in their present state they do and always will refuse each other mutual assistance, minding more their present profit than their common defence, it is not conceivable how it can be avoided that they should fall into the power of so active an enemy as France, and one after another be destroyed. Massachusetts, Connecticut, New Hampshire, Pennsylvania, Maryland and Virginia all allege, in excuse for their sending no aid to New York, that they are all as much exposed to the enemy as she is; and yet we do not find that they are in a very good posture of defence; much less can they be depended on for a timely and vigorous assistance to one another in case of danger, unless somebody be on the place to compel them to it. On the other hand a vigilant General there, having under his eye the care of the whole, would always be at hand to oppose the enemy with so many of the forces that are nearest, which would be with greatest safety and least charge to those Colonies, and without any disturbance or expense to the remoter. This he would be enabled to do by having constant intelligence of the enemy's designs and motions from our friendly Indians, upon which consideration we would recommend that the Captain-General should be instructed to take all care to keep the Five Nations and other Indians in amity with us firm in friendship. For it is beyond question that the English would be driven from their settlements if all the Indians should be gained over by the French. To prevent that, and to secure them to the King's interest, the Captain-General should from time to time make them presents, and some of the most eminent of them should be entertained, and have constant pay as lieutenants or ensigns and be treated as the King's officers. Next, the Indians should be rewarded for any execution that they do upon the enemy, and the scalps that they bring should be well paid for. Further, some lusty, vigorous youths of the English should accompany them in their expeditions, huntings and other exercises, who by inhabiting among them would learn their language, grow acquainted with the woods, rivers and passes, and come in a little time to be able to endure their

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fatigues, all of which would be a means to familiarise them to us and strengthen their union with us. And to this these young men should be encouraged by a certain assurance of rewards and preferment, of which they should never fail according to their deserts in this service. Some of the bravest or most credited of our Indians should (if they can be persuaded to it) be brought to England to see the strength of the King's forces by sea and land, and the populousness of his dominion, especially the great city of London, the certain knowledge whereof would be of great force to confirm them in their union with us. Captives from the hostile Indians should also be brought over for the same purpose, the knowledge of the King's greatness and power serving as much to deter the one and to hearten the other.

Lastly, effectual means should be taken for the conversion of the Indians to the Protestant faith, for among these, as among all men, religion has been found to be one of the strongest bonds of union. We think that the Governor and Company for propagation of the Gospel in New England and the parts adjacent would be very ready to apply their stock and revenue to this good use, when they shall be made to see that the conversion of the Five Nations (to which they have already contributed some small matter) is of the greatest importance imaginable for preserving those who are of the Protestant religion in those parts, as well as for gaining converts to it. These things relating to the Indians we think we may with confidence recommend, since they are with great care and earnestness practised for the gaining and holding of the Indians in Canada, where, if they go on by these means to prevail with them as they have done, it is to be feared that the English will not long be quiet and safe in the Northern Plantations. The French daily and with great industry extend themselves along the back of them and seem to have something more than bare planting in view, which gives us reason to add that some such effectual course should be taken as we have advised before it be too late. *Signed*, Tankerville, Ph. Meadows, John Pollexfen, John Locke, Abr. Hill. [*Board of Trade*. Plantations General, 34. *pp.* 59-68.]

Sept. 30. **287.** Council of Trade to the Lords Justices of England. In obedience to your orders of the 3rd inst. we have consulted the merchants concerned in the Southern Plantation trade. Those trading to Barbados at first answered that their affairs were so uncertain that they had put off the departure of their ships from October till January next, and that when they had taken their resolution as to that fleet they would apply for convoy. But since then they have applied for a frigate to convoy ships at the end of November, though not being resolved as to the number of ships then to be got ready, they give us no means of offering you an opinion thereon. They also ask to have three frigates to convoy a fleet in January, and ask eighty days for loading and unloading. The traders to the Leeward Islands ask for the usual allowance of 200 seamen and say that they will be ready to sail by the end of December, which they allege is the fittest time for setting out, and not sooner, for sugars are not made there till January or February, and no number of ships can be certain of loading till April or May,

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wherefore they desire seventy days for loading and unloading. The Jamaica merchants represent that if their ships sail about the 10th of December they will arrive at the healthiest season and will find the crop ready for shipping, whereby their voyage will be shorter and safer and their return early enough to reach the northern markets before winter. They will also avoid the rainy season, which is the unhealthiest time in Jamaica and so dangerous to new-comers that by arriving at that time ships lose so many of their seamen that they are obliged to return half-manned and exposed to every kind of danger.

We are therefore of opinion that the merchant-ships designed to the Southern Colonies should have timely notice to be all ready by the 31st of December, that the respective convoys, consisting of two ships each for the Leeward Islands and Jamaica and three ships for Barbados, should be punctually in the Downs ready to sail on that day. Beyond that day no ships should be waited for, but all should sail together, taking with them such other ships as are ready in the ports of the Channel, and keeping company so long as their way lies together; but no ships should touch any more, when once they have passed the Channel, until they reach the Colonies for which they are designed. From this arrangement we expect the following advantages:—(1) The trading ships will arrive at the most convenient season and with the the least possible expense of time and money. (2) The course of the Barbados ships being nearly the same as that of the Leeward Islands ships, and that of the Jamaica ships absolutely to the Leeward Islands, they could sail together for most part of the way, and the joint convoys would be strong enough to secure them from any ordinary attack. We think further that the convoys which thus steadily go every year at the prefixed time, should stay for the safeguard of the Colony to which they are sent until relieved by the next succeeding convoy, and then conduct home the returning merchant-ships, allowing them two months for loading and unloading with such number of additional days (not exceeding twenty in Barbados or fifteen elsewhere) as the Governor in Council may appoint.

It having been complained to us that many ships from Jamaica have been lost through being undermanned owing to the impressment of their crews by the King's ships, and that other great abuses and injuries to the Island are also due to this same impressment, we think that the remedy for the same is that men-of-war bound to the West Indies should carry a larger complement than usual, so as to be provided against the accidents of death while guarding the Islands, and that during their stay they should, as formerly, be under the directions of the Governors. Since most of the distempers that destroy seamen are due to their irregularities ashore, it may be presumed that the Governor will keep them cruising as much as possible, which will be better both for them and for the Island; and we doubt not that cleanliness and order will be found as effectual in preserving health in the King's as in other ships. It is no new thing to place the men-of-war under the orders of the Governors, but it was the rule in former reigns, and we think we should be wanting in our duty if we failed to recommend a return

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to this practice. That the men-of-war may not be crippled by want of hands we recommend that instructions be sent to the Governors, upon any considerable loss of men in the King's ships, to supply their place by pressing, or otherwise or to give the Captains authority to press. It would be an advantage that a copy of so much of the Commodore's instructions as to the conduct of merchant-ships should be communicated by him to the masters in writing. *Signed*, Tankerville, Ph. Meadows, John Pollexfen, John Locke, Abr. Hill. [*Board of Trade.* Plantations General, 34. *pp.* 71-76.]

Sept. 30. **288.** Journal of Council of Trade and Plantations. The Secretary reported that no stores of war had been sent to New York. The representation as to the Northern Colonies and as to convoys was agreed to.

Oct. 1. Sir William Beeston's letter of 8 April read. Order for an answer to be drafted. Petition of Ralph Lane read. The representations read yesterday were signed. Governor Codrington's letters read on the 21st August were again read, and an answer ordered to be prepared.

Oct. 2. The Jamaica merchants gave in certain depositions by persons wrongly impressed in Jamaica, and made further complaints on the same subject, and on the removal of the King's ships from the Governor's authority, all of which they promised to put into writing. Draft letter to Sir W. Beeston approved. [*Board of Trade.* Journal, 9. *pp.* 149-153.]

Oct. 1. **289.** Minutes of Council and Assembly of Antigua. The Assembly sent up an Act obliging the Secretary and Marshal to give security, which was returned, and again sent up by the Assembly with a further request for an answer to their accusation against John Palmer. Mr. Palmer delivered in a remonstrance of great length in defence against the charges imputed to him. [*Board of Trade.* Leeward Islands, 64. *pp.* 183-186.]

Oct. 1. **290.** Minutes of Council of Virginia. Order for the Jamaica ships captured by the French and since surrendered by them in Virginia to remain in custody of Colonel Edmund Jenings, and for the Attorney-General to report on the whole matter. Order for a new sloop to be taken up for the preventing of illegal trade, the old one being unfit for further service. [*Board of Trade.* Virginia, 53. *pp.* 40-41.]

Oct. 2. **291.** Minutes of General Assembly of Virginia. Message from the Burgesses desiring a conference with the Council as to the securing of warlike stores on the frontiers, by sea and land, and the general defence of the Country. Three conferrers appointed accordingly. [*Board of Trade.* Virginia, 52. *pp.* 16-17.]

Oct. 2. Whitehall. **292.** Council of Trade and Plantations to Governor Sir William Beeston. The King has appointed us to take charge of the trade and plantations of the Kingdom. You will give us full information of all that passes in your Government and send us the documents formerly ordered. We have received yours of 8 April, and have laid before the King the hardships of the Commanders in pressing seamen. The Acts from 4 March to 1 August, 1695, are

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under consideration. The five new Councillors recommended by you had been appointed before we took office. You will send us a complete list of the Council and of persons fit to fill vacancies therein. You will inform us how far your population has decreased of late years and for what reason. What instructions do you recommend to prevent the irregularities which endanger the health of seamen. Take care to procure every information as to the enemy at Hispaniola. *Signed*, J. Somers, Tankerville, Wm. Trumbull, Ph. Meadows, Jno. Pollexfen, Jno. Locke, Abr. Hill. [*Board of Trade.* Jamaica, 56. *pp.* 9-12.]

[Oct. 2.] **293.** Copy of the Royal Instructions to Governor Sir William Beeston, forbidding him to interfere in any way with the discipline of the King's ships or to suspend, place or displace officers. Copy of an extract from the Admiralty's letter to the same effect. *Certified by* Gilbert Heathcote. 1 *p. Endorsed*, Delivered to the Board by Mr. Heathcote. 2 Oct., 1696. [*Board of Trade.* Jamaica, 8. *No.* 21; *and* 56. *pp.* 12-13.]

Oct. 5. Newcastle. **294.** Lieutenant Governor Usher to Lords of Trade and Plantations. This comes by the hands of Mr. Thomas Newton, a gentleman who while in these parts has travelled through and observed the King's Governments here. He is a person of great honour, and all credence may be given him for his narrative; he is also a person of great loyalty and a sober churchman, which is enough to make him obnoxious in these parts. I know of no one who will give you a true and partial (*sic*) account of the whole country better than he. I am of opinion that if the King would send a Viceroy over all, though several Governments may have Governors, as in several places in England, it would be for the King's service. If he be not pleased to settle these parts speedily that they may be more firm to the Crown, by sending five or six hundred men, his Government will be lost by reason of division. I beg you to receive accounts from Mr. Newton and Captain Shadrach Walton as to this province, and if anything should be charged against me I beg that the persons charging me may attend you until my answer be returned. I am ready to give an account of my stewardship and of my preserving the King's Government against all who have designed to invade and to subvert it. *Signed*, John Usher. 1 *p. Endorsed*, Recd. and read 9 Dec., 1696. *A short précis is attached to the letter.* [*Board of Trade.* New England, 8. *No.* 35; *and* 36. *pp.* 73-74.]

Oct. 5. Whitehall. **295.** William Popple to the Attorney and Solicitor General. Forwarding them certain Acts of Barbados for their opinion, with particular reference to a private Act concerning Philip Kirton. [*Board of Trade.* Barbados, 44A. *p.* 7.]

[Oct. 5.] **296.** List of Acts passed in Barbados, from 9 October, 1694, to 1 July, 1696, twenty-seven in all, sent with the preceding letter. 2¼ *pp. Endorsed*, Sent to the Attorney and Solicitor General, 5 Oct., 1696. [*Board of Trade.* Barbados, 7. *No.* 14 *and* 44A. *pp.* 7-9.]

Oct. 5. **297.** Journal of Council of Trade and Plantations. The Secretary reported that no letters for the late Committeee had been

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received from Barbados, apparently through the negligence of the ship's master. Representation as to New York agreed to.

Oct. 6. Mr. Randolph's discourse as to Virginia was read. (*See No.* 176)

Oct. 7. Letter to Sir William Beeston signed. Depositions of persons wrongfully impressed read. Several gentlemen appeared, to desire the Board's consideration of Sir Matthew Dudley's proposals as to mines and Naval stores.

Oct. 8. Domestic trade was considered.

Oct. 9. Sir Henry Ashurst attended with his instructions to the persons about to proceed to America to report as to Naval stores, and a representation thereon was agreed to. [*Board of Trade.* Journal, 9. *pp.* 154-165.]

Oct. 5. **298.** Minutes of Council of Maryland. Order for strict enquiry into the circumstances of the death of Thomas Salmon, late master of a ship now lying in Choptank River.

Oct. 6. The petition of Thomas Jones respecting the condemnation of his ship was on the Attorney-General's advice rejected. Order for all the ships lying in the bay to meet at the mouth of Patuxent River, and all the ships up the Potomac to meet at the mouth of St. Maries River, thence to sail to join the Virginia fleet to England.

Oct. 7. A letter from President Francis Bond was read, reporting the death of Governor Russell of Barbados.

Oct. 8. Order for Andrew Geddes, a schoolmaster sent out by the Bishop of London, to be admitted by the vestry of All Saints' parish, Calvert County, to officiate as reader till further order, receiving 10,000 lbs. of tobacco *per annum*. Two justices of Prince George's County attended to answer for their neglect in making their list of taxables, and were dismissed with a caution not so to offend again.

Oct. 9. Four more justices of Prince George's County appeared to answer for the same neglect, and on begging pardon were likewise dismissed with a caution. Another of the justices, not making his appearance, was dismissed from the authority of a justice of the peace. Orders for certain payments.

Oct. 10. The justices and lawyers of the Provincial Court attended, when it was decided to hold another Court in December. Order for punctual despatch and completion of all legal business, and that the five councillors that live nearest to Annapolis shall meet in December next. Order for a seal for Prince George's County, and that the County Court Clerks make return of their county-levies and vestry proceedings in December. Order for publication of the King's Order in Council of 13 February, 1696, respecting the Land Office. Order for Anthony Drew to appear in December to answer for saying that it was treason to draw up a company of soldiers without a commission. Philips Hoskins added to the Provincial Commission. Order for Thomas Tench to be admitted to Council in December, when he has finished Colonel Copley's business. Order for the vestries to see to the disposal of the 40 lbs. poll-tax as already ordered before. A report from the Rangers, giving an account of the roads and cabins made by them, read. [*Board of Trade.* Maryland, 13. *pp.* 165-176.]

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Oct. 5. **299.** Minutes of General Assembly of Virginia. There were received from the Burgesses bills to repeal the prohibition to plant tobacco, to alter the Court days in Accomack County, to reward Indians for killing of wolves, to ascertain the value of current money. Address of the Burgesses asking that no more than 400 acres of land be granted to any one person of the land south of the Blackwater.

Oct. 7. Message to the Assembly, promising all due regard to their address as to land on the Blackwater. The four bills received on the 5th were read a first time. The Conferrers of the Council reported that those from the Burgesses were not well satisfied with the Governor's desires concerning the frontiers.

Oct. 8. The four bills read yesterday were read a second time.

Oct. 9. The three first of the four bills were passed with amendments. Bills for punishment of fornication and several other sins, for dividing King and Queen County and for maintenance of the clergy, received and read a first time.

Oct. 10. The Governor laid before Council a bill prepared by Mr. Blair to facilitate the payment of donations to the College, which being considered was found irregular; whereupon further discussion was postponed for the appearance of Mr. Benjamin Harrison, who drew the bill. The three bills received yesterday were read a second time. Bills to fix the place of York County Court and to ascertain the size of casks were received from the Burgesses. The bills as to killing of wolves and to remove prohibition of tobacco-planting were returned by the Burgesses with the amendments agreed to. [*Board of Trade.* Virginia, 52. *pp.* 17-21.]

Oct. 6. **300.** William Popple to Edward Randolph. With reference to your representation (*see No.* 176) I am ordered to propose to you the following queries: (1) What proportion of land in Virginia already taken up is now cultivated, as near as you can judge? (2) Why have not the prosecutions, neglected in Colonel Nicholson's time, been continued since? (3) Who has authority in Virginia to compound for the King's quit-rents? (4) Have any parcels of land been seized for the King's use, for want of planting or failure to pay quit-rents? (5) Are negro servants included in the persons who, if imported, make "rights" to grant of land. (6) What are the methods of survey? (7) Have you ever known of false certificates of rights, and how have the parties guilty thereof been punished? (8) Of what extent are the counties, and are they of equal bigness or not? (9) Explain your proposal that no more than 500 acres should be granted to one man. (10) If your methods be followed, in what county should a beginning be made? [*Board of Trade.* Virginia, 37. *p.* 24.]

Oct. 6. **301.** Minutes of Council of Barbados. Petition of the owners of a sloop, hired by the Government for the Martinique expedition, for payment of her hire rejected. A similar petition was recommended to the Assembly.

Oct. 7. An Escheator-General and a Clerk of the Crown appointed. Order for the President and five of the Council to hold Courts of Admiralty. Order for payments. Bills for decision of controverted elections and for encouraging trade received from the Assembly.

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On news of a French man-of-war lying off the Island, ordered that forty soldiers of the King's regiment be put on board H.M.S. Newcastle, which with a sloop shall go in chase of her. On news of a privateer near the Island Colonel Salter and others offered to take a brigantine and fight her, which offer was accepted.

Oct. 8. Several petitions for payments received. [*Board of Trade.* Barbados, 65. *pp.* 146-149.]

Oct. 7. Antigua. **302.** Governor Codrington to Council of Trade and Plantations. The Hastings being not yet sailed, I must inform you that, according to news received from a brigantine which arrived here from New York two days ago after three weeks' passage, there are but seven French men-of-war at Petit Guavos, that they have taken five of our ships homeward bound from Jamaica, but parted from them in a violent hurricane, whereby two of the captured ships were driven one into New York and the other into Virginia, where they surrendered. They believe that if the rest of the fleet and prizes met with the same storm, they must inevitably be lost. The fleet said to be expected at Canada are but two ships of war, which are now arrived there, and the Governor of New England has sent ships in pursuit of them. I have no further intelligence. *Signed*, Chr. Codrington. 1½ *pp. Endorsed*, Recd. and read 5 Feb. Answd. 12 Feb. 1696-7. [*Board of Trade.* Leeward Islands, 5. *No.* 12; *and* 45. *p.* 50.]

Oct. 8. Newcastle. **303.** Lieutenant Governor Usher to Lords of Trade and Plantations. I enclose proceedings against several persons, which will shew you what posture we are in. I wish the Country will not make a total subversion of the King's Government. My life not being safe among them I shall go to Boston till the King's pleasure be known, and my hands strengthened by the despatch of 100 men, which I hope may speedily be sent. To secure the prisoners I am forced to keep twenty men and pay them daily out of my own estate. By the proceedings you will see what must be expected here. ¼ *p. Inscribed*, a list of Enclosures. *Endorsed*, Recd. 30 Nov., read 8 Dec., 1696. *Annexed*,

303. I. Record of a Special Court held at Portsmouth, 6 Oct., 1696. Richard Olliver and Robert Jordan were indicted for openly resisting and refusing to obey their superior officers, and Andrew Cranch for openly declaring that he would go to the King's fort and hoist the King's colours. The occasion of the offence was on Captain Walton's announcing to his Company of Militia that he was resigning his commission and that his lieutenant would succeed him in command. Olliver then declared he would obey no commission and Cranch used the words attributed to him. Jordan was acquitted, the two others found guilty. Olliver was sentenced to a fine of £6, to give bond for good behaviour for twelve months, and to acknowledge his fault at the head of the Company. Cranch was fined five pounds, the rest of his sentence being the same as Olliver's. Both prisoners were told that they were fortunate in that the Lieutenant

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Governor had tried them in a Civil Court instead of by Court Martial. *Copy.* 1¼ *pp. Endorsed,* Recd. 30 Nov., Read 7 Dec., 1696. [*Board of Trade.* New England, 8. *Nos.* 36, 36 I.; *and* (*without enclosure*) 36. *p.* 32.]

Oct. 8. **304.** Minutes of Council of Massachusetts. Order for the Council to be summoned to appoint Justices of the Courts and other officers, the Assembly having revived the Act for establishing judicatories. Leave granted to Francis Foxcroft to ship thirty barrels of flour to the West Indies. Petition of Martha Holland for divorce from her husband granted. [*Board of Trade.* New England, 49. *pp.* 50-51.]

Oct. 8. **305.** Minutes of Assembly of Nevis. The articles justifying the Address to the Governor, and the letter to the Agents, were read and approved. [*Board of Trade.* Leeward Islands, 64. *p.* 389.]

Oct. 8. **306.** Minutes of Council of Virginia. The address of the clergy further considered and decision deferred. A list of the Naval Officers and Collectors was laid before the Council for consideration. Order for a Commission to be prepared for John Broadbent and his ship to act for the prevention of illegal trade.

Oct. 9. The Attorney General presented his report as to the captured Jamaica ships since surrendered by the French, and the matter was deferred for further consideration. A complaint against the vestry of Fairfield parish, Northumberland County, was referred to them for answer. [*Board of Trade.* Virginia, 53. *pp.* 41-44.]

Oct. 10. **307.** Minutes of Council of Massachusetts. Order for a Commission to be issued for trial of four Indians for murder of a man belonging to the town of Hadley. [*Board of Trade.* New England, 49. *pp.* 51-52.]

Oct. 10. Antigua. **308.** Governor Codrington to Council of Trade and Plantations. On the 1st of July last I received information from one Edward Walrond against John Palmer, one of the Council and General Secretary for these Islands, for several words spoken in defamation of the Government and of the late Queen Mary. I summoned Palmer from Nevis to answer the information, and on the 3rd of September he did so before the Council, who came to the resolution herewith enclosed. The discourses alleged against Mr. Palmer were spoken some years ago and never came to my ears until the day above mentioned, nor have I ever perceived anything proceeding from him in Council to the least defamation of the Queen or Government, or I should have used my authority to punish him. I must add that Mr. Walrond is a man of good repute and well affected to the Government, and had no by-ends in view unless to prevent an action of defamation of Mr. Palmer against him, as he, Walrond, has often mentioned to some persons what he now brings forward as an information. This is the first trouble that I have had of the kind, being bold to say that no people are so well satisfied with the present Government as the inhabitants of these Islands. *Signed,* Chr. Codrington. 1½ *pp. Endorsed,* Recd. and read, 5 Feb. Answd. 12 Feb., 1696-7. *Annexed,*

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308. 1. Resolution of the Council of the Leeward Islands. On hearing the accusation against John Palmer and his reply thereto, and the evidence of Edward Walrond, we are of opinion that Palmer is guilty of a grave misdemeanour and ought to be suspended the Council, but that since the King appointed him to the said Council, it is requisite that he be continued therein, and that information be sent to the Council of Trade and Plantations for the King's further directions therein. *Copy.* ½ *p.* [*Board of Trade.* Leeward Islands, 5. *Nos.* 13, 13 1, *and* 45. *pp.* 51-53.]

Oct. 10. **309.** Abstracts of Governor Codrington's letters of 2 and 30 September, and of 7 and 10 October, 1696. 2¼ *pp. Endorsed,* Read, 5 Feb., 1696-7. [*Board of Trade.* Leeward Islands, 5. *No.* 14.]

Oct. 12. **310.** Minutes of Council of Maryland. Proclamation of the Order in Council of 13 February, 1696, as to patents for land, and a subordinate order issued thereupon. William Dent and Henry Denton received their Commissions and gave their bonds as Naval officers. (*pp.* 174-175.) Order to warn grand jurors from the Eastern shore that, if they be met by bad weather on starting for the Court in December, they may turn back, as their places will be filled from other counties. The Naval officers and Receivers swore to their accounts. Order for certain payments. List of arms and ammunition to be sent for. (*pp.* 176-179.) [*Board of Trade.* Maryland, 13. *pp.* as cited.]

[Oct. 12.] **311.** Duplicate copy of Minutes of Council of Maryland, from 16 September to 12 October, 1696. [*America and West Indies.* 557. *No.* 20.]

Oct. 12. Whitehall. **312.** William Popple to Governor Nicholson. Forwarding the letter of the Council of Trade of 25 September, with other letters to be forwarded to the Governor of Virginia and New York. [*Board of Trade.* Maryland, 9. *p.* 24.]

Oct. 12. Whitehall. **313.** William Popple to the Postmasters-General. Forwarding packets for Maryland and Jamaica, with directions that originals and duplicates shall not be sent by the same ship. [*Board of Trade.* Plantations General, 34. *pp.* 76-77.]

Oct. 12. **314.** Journal of Council of Trade and Plantations. Domestic trade was under consideration. The representations as to New York, and as to Sir H. Ashurst's instructions were read and agreed to.

Oct. 13. The representations aforesaid were signed. [*Board of Trade.* Journal, 9. *pp.* 165-177.]

Oct. 12. **315.** Minutes of General Assembly of Virginia. Four bills received from the Burgesses, to impose penalties on non-appearance of witnesses, to declare how long judgments shall be pleadable, for alteration of inconvenient roads, for fixing damages on appeals.

Oct. 13. The four bills received yesterday were read a first time, also the bills to fix a place for York County Court, and for ascertaining the gauge of casks. Mr. Blair's paper as to the College again read and deferred for future consideration. The bills to divide King and

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Queen County and to ascertain the value of current money were rejected. The bills to repeal the prohibition of tobacco-planting, and to give rewards for killing wolves were returned by the Burgesses, with the Council's amendments agreed to.

Oct. 14. Mr. Blair withdrew his paper as to the College by permission. Leave was given to two of the trustees to bring in a bill to facilitate the payment of the donations already made to the College.

Oct. 15. The Bills to fix a place for York County Court, to ascertain the gauge of casks, to impose penalties for non-appearance of witnesses, to declare how long judgments shall be pleadable, to alter inconvenient roads, and to ascertain damages on appeals, were read a second time. The Bill as to donations to the College was brought in and read a first time. Bills to prevent clandestine marriages, to ascertain the proof of letters of Attorney, for erecting pounds in Accomack and Northampton Counties, and for the better supply of the country with arms and ammunition.

Oct. 16. The four bills last named were read a first time. The bills for punishment of various offences, for support of the clergy, and for York County Court were passed with amendments. Bill as to donations to the College read a second time. Bill to ascertain the gauge of casks read a third time and several amendments ordered.

Oct. 17. The bills to ascertain gauge of casks, for imposing penalties on non-appearance of witnesses, to declare how long judgments shall be pleadable, to alter inconvenient roads, and to ascertain damages on appeals, read a third time and agreed to, with amendments. The bill to punish various offences was returned by the Burgesses with the Council's amendments accepted. The bills as to clandestine marriages, as to letters of Attorney, as to building of pounds, and as to supply of arms and ammunition, were read a second time. Bill as to donations to the College deferred, the Commissary not having shewn the briefs or charter, as desired. Bills to appoint rangers and to prevent Maryland Indians from hunting in Virginia received from the Burgesses. At the request of the Burgesses it was agreed to hold a conference on the bill for the support of the clergy. [*Board of Trade.* Virginia, 52. *pp.* 21-27.]

Oct. 13. **316.** Minutes of Council of Barbados. Order for a proclamation that all small boats be secured at night, and that guards be appointed by the Colonels of Militia every night. Three Colonels took the oaths appointed by the articles of war. Order for Captain George Dew to be reimbursed for provisions expended in the country's service. Order for victualling a vessel which is going express to Governor Codrington. Order for all the field-officers to taken the oath of fidelity according to the articles of war.

Oct. 14. Ordered that on emergency the President shall issue orders to the ships of war and land-forces. The purport of the letter to Governor Codrington considered, and agreement made with the sloop that carries the letters to him. [*Board of Trade.* Barbados, 65. *pp.* 149-151.]

Oct. 14. Whitehall. **317.** Lords of Trade and Plantations to the King. We would recommend that the four hundred light Dutch fusees, requested by Governor Fletcher for the Indians, should be sent to him. As to his request for an annual supply of stores of war, we do not find

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that those requested by him in May, 1695, have been sent; and the Agents for New York could give us no information as to the state of the stores when they left the province, as they were captured by the French in their passage. Yet we think that the stores should be sent, so that, whatever happen, the province be not left destitute of them. Mr. Brooke confirms Governor Fletcher's report as to H.M.S. Richmond. We think that, as he suggests, a quick sailer should be sent in her place, so as to arrive at the beginning of March. She should be made part of a convoy on the voyage out, she should stay at New York until the beginning of the next winter, she should then convoy ships from America to the West Indies and stay at Barbados or Jamaica, and she should then return as additional convoy to the West Indian trade to England. Meanwhile, on her leaving New York, another ship should be sent to take her place, and so annually. Thus the ships for guard of New York and the neighbouring Colonies will not be laid up for the winter as heretofore but will serve as convoy, as above described. We think that Governor Fletcher should be encouraged to pursue his present method of keeping his companies full, until recruits be sent from hence or further orders be issued by your Majesty. To check desertion we recommend that all the provinces should be ordered to pass effectual laws against the receiving and harbouring of deserters. We recommend also that Mr. Caleb Heathcote be confirmed in the Council and that Colonel Fletcher be instructed to fill up the vacancy therein. The punctual payment of the companies in New York we submit, together with all the rest, to your Majesty's great wisdom. *Signed*, Will. Trumbull, Ph. Meadows, Wm. Blathwayt, John Pollexfen, John Locke, Abr. Hill. [*Board of Trade.* New York 52. *pp.* 28-33.]

Oct. 14. **318.** Council of Trade and Plantations to the King. In the matter of the instructions proposed by the Admiralty and by Sir Henry Ashurst for the Commissioners appointed to report as to Naval stores in New England, we make the following suggestions. It would be well for the Commissioners to view the large tracts covered with woods along the sea coast north-eastward from Massachusetts to Nova Scotia, so far as they can, and report as to their nature and as to the forts and Colonies that it might be expedient to settle there. Sir Henry Ashurst's instructions lay down that no specimens shall be bought or sent home but by the joint consent of all the Commissioners. We think it better that if there be any difference of opinion between the Commissioners nominated by the Admiralty and by Sir Henry Ashurst, each side should have liberty to bring over different specimens. We think also that the Commissioners should be empowered to ascertain the willingness of people to contract for supply of naval stores, and that they should freely communicate such knowledge as they possess or acquire to all persons who are qualified to make use of it. Each of the two parties of Commissioners should possess copies of the instructions given to the other. In case of the death of one or both of Sir Henry Ashurst's Commissioners, the Government of New England should appoint a successor; in the same event to one of the

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Admiralty's Commissioners, all power should be vested in the survivor. Sir Henry Ashurst's instruction as to shipbuilding seems foreign to the present enquiry. The stipulations as to the cost of the undertaking we leave to the consideration of the Treasury. *Signed*, Ph. Meadows, Wm. Blathwayt, John Pollexfen, John Locke, Abr. Hill. *Here follows copy of the last clause of the Massachusetts Charter, reserving the King's right to timber for the Navy.* [*Board of Trade.* New England, 36. *pp.* 43-47.]

Oct. 14. **319**. Minutes of Council of Virginia. The Governor being told of delays in the College business, Mr. Commissary Blair's bill as to the donations having been delayed until now, was extremely concerned, since it is misrepresented at home that the clergy in Virginia were not only slighted but oppressed. The Council acquitted the Governor of all blame in the matter. Mr. Blair objected to the Governor's expressions as unwarrantably harsh. The Governor shewed a letter from the Bishop of London containing the same, and containing further some sentences from the same saying that the Act for securing a maintenance to the clergy was prevented by the last Assembly, which carried the Act to the Council, when it was dropped. That Assembly was dissolved, and the present, which has refused the King's command, is continued. The Council, with the exception of Mr. Blair, unanimously agreed that the clergy had never been so well cared for as during the Governor's time, ever since they can remember, and that the Governor has always shewn his readiness to assist them in every way. As to the law alleged to be made in favour of the ministers, it never entered into the Council's thoughts to pick it out singly during the revision of the laws, but this was condescended to by the Burgesses. Order for summoning the churchwarden of Denbigh to answer for neglecting to communicate the Order in Council of 13 February last to the vestry. [*Board of Trade.* Virginia, 53. *pp.* 44-46.]

Oct. 15. **320**. Minutes of Council of Nevis. The Address of congratulation to the King on his deliverance from the conspiracy against him was unanimously signed. [*Board of Trade.* Leeward Islands, 64. *pp.* 390-391.]

Oct. 15. **321**. Minutes of Council of Massachusetts. Order for payment of £50 to Increase Mather for last year's service as President of Harvard College, also for payment of £60 4*s.* 0*d.* to Secretary Addington on account of fees.

Oct. 16. The Justices of the inferior Courts of the several Counties were nominated (*full list given*), and other officers of justice appointed. Samuel Sewall, Peter Serjeant and John Walley appointed to take care of the French prisoners, late of the garrison of St. Johns. [*Board of Trade.* New England, 49. *pp.* 52-55.]

Oct. 16. **322**. Minutes of Council of Virginia. Order for a Committee to report as to the expediency of appointing an officer to attend the General Court, a duty hitherto done by the sheriff of James City and his officers, for uncertain payment. The Attorney-General's report on the Jamaica ships referred to Richard Lee and Charles Scarburgh. [*Board of Trade.* Virginia, 53. *pp.* 46-47.]

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Oct. 16. **323.** Journal of Council of Trade and Plantations. The Jamaica merchants presented a paper signed by several of their body. (*See next abstract.*) They added many complaints of arbitrary pressing and about the encouragement of piracy in North America, and named one Flavell, of Bristol, who made it his business to ply between Jamaica and Carolina enticing men to piracy. [*Board of Trade.* Journal, 9. *pp.* 177-179.]

Oct. 16. **324.** Considerations offered by the Agents for Jamaica and the merchants trading thereto, to the Council of Trade and Plantations. (1) The trade of Jamaica is of great advantage to the Kingdom and its preservation of great consequence, but (2) it has been under great discouragements of late, and unless some remedy be taken it will be lost. As to (1) it is plain to demonstration that more bullion is yearly imported from Jamaica than from all the other Colonies. Hence the loss of the Island would probably mean the loss of all the English interest in the West Indies. The trade of the Spanish West Indies would be wholly engrossed by the possessors of that place, and if the French had it, in addition to their other possessions, they might with a little assistance from home easily become masters of the mines of Mexico and Peru. As to (2) the advantage of the place will invite the French to have their eye on it, who since the late attempt upon Hispaniola have greatly strengthened their plantations there by removing thither the inhabitants of Santa Cruz and other Islands. Revenge will also spur them on to the undertaking. Next, the population of Jamaica is much lessened by the earthquake and the mortality that followed it, and by the voluntary removal of people owing to the unwarrantable proceedings of the captains of the King's ships in impressing the inhabitants, contrary to the Governor's express directions. This ill-usage has driven the sea-faring men to various other places, even to Petit Guavos, where they have taken part against us, while many have turned pirates, so that of 1,200 sailors that were in Jamaica four years ago there remain not above 300. Again there has been much mortality and discouragement owing to ill-timing and mismanagement in the despatch of recruits and supplies. The months of May, June, July, August and September are unhealthy to new comers, the months from November to March are constantly healthy; April and October are healthy or not according as the rains begin early or continue late. It is known to all observers that ten newcomers die out of a ship arriving between May and September to one that dies of a ship arriving between November and March. Most of our late fleets and succours have unhappily arrived in the heat of the summer, whose deaths have brought great disreputation upon the place in point of health. We propose therefore that the Jamaica fleet should be at Gravesend ready to sail by the 20th of December at latest and shall sail after that by the first fair wind, without waiting for the ships that are not ready. They will then arrive at a healthy season, the crops will be ready for shipment, the ships will return at a season when they will be able to keep company with their convoy, and they will arrive in time to get to the northern markets before winter; whereas our late fleets by sailing hence and arriving at Jamaica

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at unseasonable times have lost two-thirds of their men, and being undermanned have been lost in various ways on the homeward voyage. This course will prevent long continuance of seamen at Jamaica, but more care may be taken of them during their stay than heretofore. We would propose that all the men on the King's ships be fed during their stay in these parts with fresh provisions. This may be done (and the Island will undertake it) for the King's usual allowance of bread and beer, and sixpence a head per day (which is the cost to the King of salt provisions), that is to say on three days a week they may have fresh beef, turtle, etc., and on the other days, pease, pulp, plaintains and other wholesome food. But this cannot be done unless a competent person be appointed as Commissary of Provisions, who might also act as Commissary of Musters. And further, as to the matter of diet, we beg that pursers may be restrained from supplying the seamen with rum and strong waters. The pursers, for an unreasonable gain, supply the men upon tick with rum, whereof they make punch, wherewith being heated they expose themselves to the night-dews which in that part of the world are generally fatal. But one of the most fatal mischiefs under which we labour is the disorderly behaviour of the captains and officers of the men-of-war, who were intended for our safety, but whose irregular proceedings, if not speedily checked, will make the Island desolate. Not only do they impress the inhabitants, but they behave as if they were in no sort subjects accountable to the Government. Their irregularities we attribute greatly to the restriction of the Governor's authority by an instruction procured by the late Commodore Wilmot, though whose action, without concert with those in Jamaica, the failure of the late expedition was principally due. By that instruction the Governor is forbidden to intermeddle with the discipline of the King's ships, either by placing and displacing the officers or by calling them to account for misconduct however heinous. So if a captain of a man-of-war commits robbery or murder and gets on board his ship before he is apprehended, there is no room for the prosecution of his crime. He is supposed to be beyond the power of the Civil Magistrate so long as he remains on board his ship, where no Admiralty warrant can reach him, nor can he be punished in England for any crime committed in the Colonies. Many notorious instances of the abuse of this privilege by officers can be adduced. Captain Fletcher of the Hampshire was guilty of such misconduct that the Council unanimously advised the Governor to send him home a prisoner, but the Governor durst not act against the Royal Instruction. Commodore Wilmot went so far as to insist that the Governor should come on board his ship to hold a council of war, and refused for a time to attend it if held elsewhere. Great mischief will follow on such division of jurisdiction, and the disorderly behaviour of those officers can only be checked by putting them, as formerly, under the command of the Governor and forbidding them to press but by the Governor's warrant. We also propose that it be an instruction to officers not to lie too long in harbour for the sake of the crew's health, and that no commander shall take a man off the Island without the Governor's licence first obtained, under penalty. We would suggest that three, or at least two, ships shall be allowed as convoy to the

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fleet, and that for supply of men to the ships that guard the Island five men (to be drawn from the King's fleet here) shall be carried in each vessel of the Jamaica fleet. These will be supernumeraries, but the Captains will accept their labour in payment for their passage, and on arrival will deliver them to the men-of-war. Lastly, to re-people this depopulated Island, we beg for the King's order that such persons as are ready to go to Jamaica shall be transported on board men-of-war with an allowance of £6 per head, and that on landing in Jamaica they shall be free to settle and employ themselves as they think fit. *Signed*, Gilbert Heathcote, *and by twenty-three more.* 5½ *pp. Endorsed*, 16 Oct., 1696. [*Board of Trade.* Jamaica, 8. *No.* 22; *and* 56. *pp.* 13-21.]

Oct. 17. Jamaica. **325.** Governor Sir William Beeston to the Duke of Shrewsbury. I send duplicates of my last, which were sent by a small vessel without any company. Since then some Englishmen have arrived who were taken by the French off Havana, and had a small boat given to them to come hither. They tell me the French were but seven ships of war, the biggest of them of seventy guns, six privateers and two small tenders. They took several prizes, but lost so many men by sickness that Mons. Renault took thirty men out of each privateer, and about the 10th of August sailed through the Gulf of Florida for France, where they must be arrived before now. They report too that the Hope, which was captured from England, was not there, and that the reason for the hasty departure from the coast of Havana (besides sickness) was an account received from Mons. de Casse, that the English and Dutch with a considerable squadron were daily expected in search of them. I believe these reports to be true, for all the men agree in them. Other news we have none, nor anything from England since the Southampton came in with the fleet in May. The sailors newly come are many of them dead by contriving to arrive here in the hot and sickly months, but the Island is healthy enough. *Signed*, Wm. Beeston. *Holograph*, 1 *p. Endorsed*, Transmitted to the Board by Mr. Vernon, 25 Feb., 1696-7, Read 1 March. [*Board of Trade.* Jamaica, 8. *No.* 23; *and* 56. *pp.* 77-78.]

Oct. 19. **326.** Journal of Council of Trade and Plantations. Order for the Proprietors of the Bahamas to be required to supply a copy of their charter. [*Board of Trade.* Journal, 9. *pp.* 180-181.]

Oct. 19. General Post Office. **327.** Mr. Avent to William Popple. Forwarding the receipt of the master of a ship, bound for Jamaica, for a packet addressed to Sir William Beeston. *Signed*, J. Avent. ½ *p. The receipt is attached.* [*Board of Trade.* Jamaica, 8. *No.* 24.]

Oct. 19. **328.** Minutes of General Assembly of Virginia. Three members appointed for the Conference with the Burgesses. Bill to fix the fees of County Court Clerks received from the Council.

Oct. 20. Bill as to donations to the College rejected. Bills as to clandestine marriages, as to letters of attorney and as to the erection of pounds, passed with amendments. Bill as to arms and ammunition read a third time and referred for further consideration. Bill as to gauge of casks returned by the Burgesses with the

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Council's amendments accepted. Bills to appoint rangers, as to Maryland Indians, and as to the fees of County Court Clerks read a first time.

Oct. 21. The Burgesses sent up the book of public claims, also the bill as to clandestine marriages, with the Council's amendments accepted. Resolved to send a message to the Burgesses concerning the amendments to the bill for support of the clergy.

Oct. 23. The Burgesses sent back the bill for support of the clergy, accepting all the Council's amendments except that changing the word *fourteen* into *sixteen* [14,000 lbs. of tobacco, as annual maintenance to ministers, instead of 16,000 lbs.]. Message to the Burgesses, deploring their ingratitude to the King in not complying with his orders as to ministers after his gracious concessions to the Colony in the matter of ports and of exportation of tobacco in bulk. Bill as to arms and ammunition referred to a Committee for amendment. Bill as to Maryland Indians rejected. Bills as to rangers and as to County Court clerks' fees read a second time. Bill for support of clergy agreed to as amended at the conference.

Oct. 24. The bill as to arms and ammunition was reported and the amendments of the Committee agreed to. Bill as to rangers read a third time and agreed to as amended. The bill as to clandestine marriages was returned by the Burgesses, with the Council's amendments accepted. The bills for support of the clergy and as to Maryland Indians returned to the Burgesses. Bill as to fees of County Court clerks referred to a committee for amendment. [*Board of Trade.* Virginia, 52. *pp.* 27-32.]

Oct. 20. **329.** Minutes of Council of Virginia. Order for the restrictions on the land at Pamunkey Neck and to South of the Blackwater to be continued till the 20th of April. [*Board of Trade.* Virginia, 53. *p.* 47.]

Oct. 20. **330.** Minutes of Council of Barbados. £100 ordered to be expended on the fortifications to windward. A list of papers relating to the public service was received from Mr. Langley. Order for purchase of 20 barrels of powder for £200.

Oct. 21. Order for H.M.S. Newcastle to be careened. Petition of Major Garth for allowances for a hospital, and for service at sea for the King's regiment, referred to the Assembly. Petition of the Quakers, asking to be allowed to affirm according to Act of Parliament, referred to the Assembly, also the order for the present of liquor to Captain Fisher. Colonel Frere received £25 compensation for a negro executed. [*Board of Trade.* Barbados, 65. *pp.* 151-154.]

Oct. 21. **331.** Journal of Council of Trade and Plantations. Order for Mr. Thornburgh, a proprietor of the Bahamas, to attend on Monday next. [*Board of Trade.* Journal, 9. *pp.* 181-182.]

Oct. 22. Kensington. **332.** Order of the King in Council. For the Admiralty to give the necessary orders for preparing and sending to Virginia two suitable men-of-war, to be there in February next, to convoy home the fleet of merchant ships that shall bring from thence this

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year's crop of tobacco. *Copy.* ¾ *p. Endorsed,* Recd. 29 Oct. Read 2 Nov., 1696. [*Board of Trade.* Virginia, 6. *No.* 8; *and* 37. *p.* 25.]

Oct. 22. Kensington. **333.** Order of the King in Council. In the appointment of convoys for the fleet to the West Indies to be ready to sail on the 31st of December, and for the convoys to be relieved as recommended in the report of the Council of Trade of 30 September (*see No.* 287), Captains of King's ships, who are in want of men, must apply to the Governor of the Colony to assist them, and if he fail to do so, then the Captain may impress men. *Copy.* 2½ *pp. Endorsed,* Recd. 29 Oct. Read 2 Nov., 1696. [*Board of Trade.* Plantations General, 4. *No.* 13; *and* 34. *pp.* 79-81.]

Oct. 22. Kensington. **334.** Order of the King in Council. For the Admiralty to amend and add to the instructions to the Commissioners appointed to report on the supply of Naval Stores by New England, in accordance with a representation from the Council of Trade and Plantations. *Copy.* 1 *p. Endorsed,* Recd. 29 Oct. Read 2 Nov., 1696. [*Board of Trade.* New England, 8. *No.* 37; *and* 36. *p.* 50.]

Oct. 22. Kensington. **335.** Order of the King in Council. For the Master-General of the Ordnance to despatch 400 light Dutch fusils and other military stores, as specified, to Governor Fletcher at New York. *Copy.* 1 *p. Endorsed,* Recd. 29 Oct. Read 2 Nov., 1696. [*Board of Trade.* New York, 6. *No.* 66; *and* 52. *pp.* 36-37.]

Oct. 22. Kensington. **336.** Order of the King in Council. For the Richmond frigate to be recalled from New York and for a light and quick sailer to be despatched thither at the end of the winter, which frigate shall convoy merchantmen to America and there remain under the orders of the Governor of New York until the beginning of next winter, when she will proceed to the West Indies, and there stay until the merchant ships return to England, when she will help to convoy them, and another ship shall take her place at New York. A ship of like force shall be sent out to the like duty at the end of every winter. *Copy.* 1 *p. Endorsed,* Recd. 29 Oct. Read 2 Nov., 1696. [*Board of Trade.* New York, 6. *No.* 67; *and* 52. *pp.* 37-38.]

Oct. 22. Kensington. **337.** Order of the King in Council. That the King's four companies in New York be subsisted equally with the King's forces at home, and that the Paymaster-General take care for this. *Copy.* ½ *p. Endorsed,* Recd. 18 June, 1697. [*Board of Trade.* New York, 6. *No.* 68; *and* 52. *p.* 157.]

Oct. 22. Kensington. **338.** Order of the King in Council. For a letter to be written approving of Colonel Fletcher's method of keeping the King's companies full by men raised in America, until further order; for a circular to be written to all the Governors to make effectual laws against the receiving or harbouring of deserters or fugitives from one Colony to another; for Caleb Heathcote to be confirmed in the Council of New York; and for Governor Fletcher to nominate another Councillor for the royal approval. *Signed,*

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John Nicholas. 1 *p.* *Endorsed*, Recd. 27th Read 28th Oct., 1696. [*Board of Trade.* New York, 6. *No.* 69; *and* 52. *pp.* 35-36.]

Oct. 22. General Post Office.

339. J. Avent to William Popple. The packet sent to the Postmaster-General for Colonel Nicholson has been delivered to the master of the John and Susanna, bound to Maryland, whose receipt is enclosed. The packet for William Beeston was also entrusted to him. *Signed*, J. Avent. ½ *p.*

Enclosed,

339. 1. Receipt of the master of the John and Susanna for a packet addressed to Colonel Nicholson. Plymouth, 18 October, 1696. *Scrap.* [*Board of Trade.* Maryland, 3. *Nos.* 7, 71.]

Oct. 22.

340. Minutes of Council of Virginia. The matter of Mr. Lightfoot's admission to the Council was again discussed and deferred for further consideration. The Address and Association of the Burgesses to be presented to the King was laid before Council. [*Board of Trade.* Virginia, 53. *pp.* 47-48.]

Oct. 23. Boston.

341. Lieutenant-Governor Usher to Lords of Trade and Plantations. Since my last I have been informed that Vaughan and Waldern have got several hands to a writing against me. The full purport of it is not come to my knowledge but I am informed that it is that they were suspended. How can any judge the matter when never present at hearing of the charge and of their answers, and when the reasons were sent only to you? But it is like all their other actions. If one Penhallow appears I desire that he may be detained until my answer to the charge be returned. If Mr. Elliot's hand be there, he is a person who has writ many letters to me, signifying that Vaughan and Waldern gave so much trouble in the Government and obstructed all matters for the good of the place that it made him uneasy and to desire his dismission. But what shall I say? Men are false. One Major Church with 400 men went from Boston, and instead of looking after the enemy went to a place near Menis inhabited by the French, who had submitted and sworn allegiance to King William, and plundered them to the value of many thousand pounds, taking to the value of £1,400 from one man. From there he went to St. John's, where with 400 men he lay before the fort for forty-eight hours, and then drew off, the French calling to them "Come Pemaquid" in derision. The French in the fort, about fifty men, four guns and the fort palisadoes, Church hath taken twelve great guns, almost five or six hundred weight [?] apiece, 1,200 shot, many pickaxes and shovels, 14 barrels of powder, all brought to Boston. [*Sic. It is impossible to say what this sentence means as it stands. Probably Usher intended to signify that the French in the fort were but fifty men, with four guns, and that the fort was no more than a stockade. The stores captured must therefore have been unguarded.*] I am informed that Boston has written to urge that New Hampshire may be added to them to strengthen them with men and money, and for New Hampshire to desire men and money of Boston. I shall leave the matter with you. I know of no reason for the acting of either unless it be that I have always asserted and maintained the

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royal prerogative, and that I have settled the boundaries by force by running the line, which my predecessors never did. If this be reason enough for their being joined to Boston and you see cause for it, I have nothing to say. If they must be joined, I would suggest that you should join Massachusetts to New Hampshire and send 500 men; and then you may have the place more firmly depending on the Crown of England than it now is; for in truth I can say that these parts are not for Kingly Government. The Boston Representatives, though they send to the King for ships and men, yet address him at the same time for their old charter. That is their onions and garlic. When I left the province I posted forty men in garrison for security of the frontiers, since when I am informed that most of them are come away for want of provisions, and the Country refuses to provide money for the same. If the King does not speedily take some care, all the out-towns will be deserted and left to the enemy. I beg that the King will send a Governor and soldiers. *Signed*, John Usher. 1 *p. Endorsed*, Recd. 23 June. Read 7 July, 1697. [*Board of Trade.* New England, 8. *No.* 38; *and* 36. *pp.* 211-213.]

Oct. 23. **342.** Journal of Council of Trade and Plantations. A petition of Jeffery Jones as to a judgment given against him in East New Jersey was referred to the proprietors of that province. [*Board of Trade.* Journal, 9. *pp.* 182-183.]

Oct. 26. **343.** Journal of Council of Trade and Plantations. Domestic trade was considered. Order for the letters to Virginia and New York to be copied, ready for despatch. Order for the laws of Massachusetts to be dealt with on Monday. [*Board of Trade.* Journal, 9. *pp.* 183-188.]

Oct. 26. **344.** Minutes of Council of Jamaica. Order for Peter Beckford, junior, to be admitted to the Receiver-General's Office on giving the usual security. Orders for payment of William Blathwayt's salary and for other payments. [*Board of Trade.* Jamaica, 79. *pp.* 33-35.]

Oct. 26. **345.** Minutes of General Assembly of Virginia. Bill to appoint rangers returned by the Burgesses, with a message that they adhere to the bill as passed by themselves.

Oct. 27. Bill as to fees of County Court clerks agreed to. The book of public claims was read, amended and returned to the Burgesses. Message to the Burgesses recommending that £40 instead of £15 be allowed to the officers attending the General Court, the latter sum being no more than that allowed to the Assembly's own door-keepers. Bill to appoint rangers agreed to and returned to the Burgesses with the book of claims.

Oct. 28. Message from the Burgesses, refusing to grant more than £20 to the officers that attended the General Court. Message to the Burgesses in reply, that the Council insists on its former proposition that £40 be the sum. Message from the Burgesses, again refusing to allow more than £20, which was thereupon agreed to by the Council.

Oct. 29. The Burgesses sent up the roll of bills passed, for perusal of the Council.

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Oct. 30. The book of proportion of public dues, the accounts of money due from the impost on liquors, and a bill for a public levy, were received from the Burgesses, all of which were read, agreed to, and returned, together with the roll of bills. The Address of the Clergy was considered, and a copy sent down to the Burgesses.

Oct. 31. The Burgesses sent up an address to the Governor in answer to the address from the Clergy. The Burgesses were then summoned, and the Governor then assented to the following bills, viz. to punish divers offences, to alter Court-days in Accomack County, to give rewards for killing wolves, to repeal the prohibition of tobacco-planting, to ascertain damages on appeals, to impose penalties on non-appearance of witnesses, to declare how long judgments shall be pleadable, to fix a place for York County Court, to ascertain the gauge of casks, to prevent clandestine marriages, for better support of the clergy, to fix the fees of County Court clerks, to appoint rangers, and to raise a public levy, adjourned to 29 April next. *The Journal of the House of Burgesses for these same days is to the same effect as the foregoing.* [*Board of Trade.* Virginia, 52. *pp.* 32-38; *and pp.* 266-279.]

Oct. 27. **346.** Minutes of Council of Barbados. The Assembly desired despatch of the bills before the Council, also that Mr. Cranfield might not be a judge of Exchequer, also that a new look-out be appointed, the former one leaving because dim-sighted and sottish.

Oct. 29. The bills relating to elections and to trade were read and committed.—The time of payment of the Act for four shillings per pole was fixed. [*Board of Trade.* Barbados, 65. *pp.* 155-156.]

Oct. 27. **347.** Minutes of Council of Virginia. The Committee on the matter of officers for the General Court reported that the Sheriff of James City had always officiated till now and had been paid by the Assembly, which now refused payment. There was no law to compel the Sheriff to act, so it was necessary to appoint officers for the purpose and to recommend to the Assembly the allowance of fees or a recompense for them. Report approved.

Oct. 28. The Committee on the Jamaica ships reported that the proceedings in respect of them should be carried on in the Courts of Record, where all claims to them could be prosecuted. Report approved. The Churchwarden of Denbigh was heard in his defence, and was removed from the Commission of the Peace for contempt of the Council's orders.

Oct. 29. Warrant signed for the payment of £100 for the quit-rents to James Blair, in accordance with the King's order.

Oct. 30. Anne Grey, under sentence for murder, was reprieved to enable her to obtain the King's pardon. Order for an answer to be written to the address of the clergy, and for the address itself to be laid before the Burgesses. John Lightfoot summoned to attend next Council. Order for all persons pretending to keep ferries to report to the Secretary under what pretence they keep them, in what manner they keep them, and what fees they demand of passengers.

Oct. 31. Order for Anne Grey to be sent back to New Kent County gaol. [*Board of Trade.* Virginia, 53. *pp.* 48-51.]

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Oct. 28. **348.** The Attorney-General to Board of Trade and Plantations. I have considered the petition of Wait Winthrop and others (*see preceding volume, No.* 1844) and I find that the King's Province was granted in the 14th year of Charles II. to Connecticut, and in July, 1663, to Rhode Island, but this latter grant I conceive to be invalid in consideration of the former. *Signed*, Tho. Trevor. 1 *p. Endorsed.* Recd. and read 4 Jan., 1696-7.

A copy of the charter of Connecticut will be found in Board of Trade. New England, 36. *pp.* 79-92. [*Board of Trade.* New England, 8. *No.* 39; *and* 36. *pp.* 102-103.]

Oct. 28. **349.** Journal of Council of Trade and Plantations. Three orders in Council of 22nd inst. as to recruiting the New York Companies, the harbouring of deserters, and the appointment of Caleb Heathcote to the Council of New York were read. Ordered that the same be explained in the next letters to Governor Fletcher, and that circulars be drafted as to harbouring of deserters.

Mr. Blathwayt reported that he had received intelligence of Governor Russell's death. The laws of Massachusetts were then considered, and the Seeretary was ordered to obtain copies of the charters of Rhode Island and Connecticut.

Oct. 29. Order for an abstract to be taken of the accounts of the revenue of New York. Laws of Massachusetts were further considered.

Oct. 30. Mr. Dockwra attending desired more time to examine Jeffery Jones's petition. Letters from Governor Russell of 23 July, and two from the Council of Barbados of 11 August and undated, were read (*see Nos.* 104, 138, 188). Resolved thereupon to recommend that henceforward all Governors be directed to communicate to the Council all matters in which their advice and consent are requisite. Order for enquiry to be made as to the prisoners mentioned therein. Order for the Barbados Agents to be asked about the stores and forces of that Island and about the employment of the dead-pay of the Regiment in obtaining recruits. Resolutions agreed to for a representation to the King respecting Barbados.

Memorial from Mr. Randolph read (*see No.* 354). The Secretary was ordered to write to the Attorney-General on the subject. [*Board of Trade.* Journal, 9. *pp.* 188–200.]

Oct. 29. **350.** Minutes of Council of Massachusetts. John Walley ordered to secure all gunpowder in the hands of private persons, for the King's service. Order for payment of £305 to Captain Samuel Mould for a prize-ship, which was fitted out as a fireship for the King's service. Order of the Treasurer to issue bills of credit for £2,000, and that a Committee take an account of the same from time to time. Order for £800 to be advanced for the expenses of the late expedition to St. John's River. [*Board of Trade.* New England, 49. *pp.* 55-57.]

Oct. 30. **351.** William Popple to the Commissioners for sick and wounded seamen. Enclosing the list of French prisoners sent from Barbados, desiring information whether prisoners, French and English, have previously been sent to Europe from America, and directing that François Breador be not readily exchanged. [*Board of Trade.* Barbados, 44A. *p.* 28.]

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Oct. 30. **352.** Edward Randolph to the Council of Trade. Two men of war are shortly to sail for Virginia with the officers of the Commissioners of Customs on board. I beg that the Attorney-General's report as to the King's power to appoint Attorneys-General in the Proprietary Colonies may be hastened. *Holograph.* 1 *p.* *Endorsed*, Read 30 Oct., 1696. [*Board of Trade.* Plantations General, 4. *No.* 14.]

Oct. 30. **353.** William Popple to the Attorney-General. Asking him to hasten his report as to Attorneys-General for the American Colonies, as ships of war will shortly be sailing for these parts. [*Board of Trade.* Plantations General, 34. *p.* 77.]

Oct. **354.** A series of questions put to Edward Randolph by the Council of Trade and Plantations, with his answers (*see No.* 300). (1) There is in Virginia, at a moderate computation, about 500,000 acres granted by patents, of which not above 40,000 acres are cultivated and improved, besides many thousand acres of waste land high up in the Country. (2) Colonel Nicholson was the first Governor of Virginia who directed prosecutions for arrears of quit-rents, beginning with Colonel Laurence Smith. The case was ready for trial but the Governor came to England, and the case was afterwards compounded for a small matter. (3) No one in Virginia has authority to compound for the King's quit-rents, but it was done in the case of Colonel Smith. (4) Small parcels of land are granted away every Court for not being planted or seated according to law, but no land has at any time been seized to the King's use for not paying of quit-rents. (5) Negro servants give a right to land to those who import them, who thereupon take up land, contrary to the true intention of seating the Country; but the practice being general, to the advantage of certain persons, no notice is taken of it. (6) The method of surveying is this: The importer takes a certificate of his rights (to which he has sworn) to the Surveyor of the County where he is minded to take up land and shews him the land he supposes to lie waste. The Surveyor then gives him a survey, which he carries to the Secretary's office, where he obtains a patent of course. (7) I have heard of many false certificates of rights; the practice is common but little regarded, being of no prejudice to any private person. (8) The Counties in Virginia number twenty-three, some of them as big again as others, but no survey has yet been made of the Country, which ought to be done. (9) My object in proposing to limit the grant of land to any one man to 500 acres is to prevent further engrossing of land to the prejudice of others, who are forced to leave the Country for want of land. Nevertheless it will hinder no person from taking up greater parcels of land if he produce certificates of rights, legally obtained. It is absolutely necessary for a law to be passed inflicting severe penalties on those who produce or allow false certificates. (10) In reply to the question in what quarter it would be advisable to begin, if my proposals were adopted, I answer that the members of Council have large tracts of land in most of the counties, for which they are in great arrears of quit-rent. It is advisable to make a beginning with some of them and to empower a person uninterested in the county to demand the arrears due to the King. These will amount to a

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considerable sum and will increase the King's revenue in Virginia yearly. If the patentees refuse to pay the arrears, some hundred thousand acres of land will revert to the Crown, to be more carefully disposed of in future. *Signed*, Ed. Randolph. 1¾ *pp. Endorsed*, Recd. October, 1696. [*Board of Trade.* Virginia, 6. *No.* 9.]

Nov. 1. **355.** A list of the stores of war sent to Barbados between 1 November, 1689, and 1 November, 1696. Compiled by the Board of Ordnance. 9 *pp.* [*Board of Trade.* Barbados, 7. *No.* 15.]

Nov. 2. **356.** Commissioners for sick and wounded seamen to Council of Trade and Plantations. Pursuant to your orders we have enquired as to the French prisoners sent from Barbados, and find that six of them have already been delivered to our agent at Dover. We expect the masters of the ships to bring the rest to us, according to our orders, when the ships come up the river. Formerly we have received several French prisoners from America and have exchanged them for English prisoners captured in the Colonies and taken to France, though we often had disputes over them with the Minister of France, as America is not included in the general cartel for prisoners taken at sea. Your orders as to Francis Breardor shall be punctually obeyed, as soon as the ship's master comes up from the Downs. *Signed*, Tho. Addison, Antho. Shephard, Chris. Kirkby, Da. Elder. 1 *p. Endorsed*, Read 6 Nov., 1696. [*Board of Trade.* Barbados, 7. *No.* 16.]

Nov. 2. **357.** Journal of Council of Trade and Plantations. Domestic trade was considered. The Agents for Barbados gave in a representation of the decaying state of the Island, and pressed in particular for supplies of military stores. They reported also that owing to the dearness of provisions the King's pay barely sufficed to subsist the soldiers in Barbados, and finally promised to commit all to writing.

Orders in Council of the 14th October as to New York, as to convoys, and as to the instructions for the persons appointed to enquire concerning Naval stores were received, and extracts from the same ordered to be sent when required. Further heads for a representation concerning New York agreed to. Order for the Agents of the West Indian Islands to attend on Wednesday. [*Board of Trade.* Journal, 9. *pp.* 200-205.]

Nov. 2. Salem. **358.** Abstract of a letter from Stephen Sewall to Edward Hull, merchant of London. The state of this country is at present the following: There are many small Governments, namely New Hampshire, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, Maryland and Virginia, all of them distinct. They do not and will not afford each other succour and relief in time of need, as is meet and absolutely necessary, insomuch as the French and Indians prosecute the war so hard on those that lie next to them, viz. New Hampshire and part of Massachusetts, that hundreds of men, being tired out with watching and paying great taxes, are running to South Carolina and other places southward to escape these difficulties and dangers. If the King does not speedily put a stop to these things by uniting several of the Governments

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together, or rather by sending a Viceroy over all that may command all in this difficult time of war, I tremble to think what the event will be. Most sure it is that if our enemies master New England they will certainly overrun all the Colonies on the Continent, which will be a vast detriment and loss to the King and the trading people of England. I beg you as a true Englishman, Christian and friend to the distressed to speak, as you have opportunity, affectingly to the Commissioners of Foreign Plantations or any other officers whom you think suitable and who will lend an ear to these great things. For they are great and weighty indeed and yet not much regarded because of those greater affairs which the King is engaged in. If the King would reduce Massachusetts, Connecticut and Rhode Island into one Government, New York with Jersey and Pennsylvania into another, and Maryland, Virginia and North and South Carolina into a third, and send a great nobleman, who is a soldier, above all Governments; then we might make one body and one purse and send the French and Indians "a-grasing" quickly. There is most absolute need of a strong garrison at Port Royal or St. John's, or both, but as we are now we can't accomplish it. Sir, here is a delicate country, and eastward of us deserted by the English, the French and Indians having driven them away from Pemaquid nearly to Wells in New England, so that the enemy gain upon us every year. Unless the King will have pity and relieve us I know not what will become of us. This I have given for a true account of our condition, being no way biassed by this, that or the other faction or design but purely for the good of the whole in general, which is what I aim at and would do my utmost for. I am a true Englishman and a loyal Williamite. *Copy.* 2 *pp. Endorsed,* Presented by Mr. Woolley and read 4 March, 1696-7. [*Board of Trade.* New England, 8. *No.* 40; *and* 36. *pp.* 139-141.]

Nov. 2. **359.** Minutes of Assembly of Nevis. Resolutions passed, that no member of Assembly is liable to arrest, and that Mr. Speaker argue nothing with the Governor and Council but what he has Commission from the house to speak. Ordered that Mr. Speaker publish immediately that John Perry, not having been confirmed by the Assembly, is no longer Treasurer of Nevis. Order for payment from the public Treasury of £56, current money, to the members who took the Address to Antigua. A remonstrance to the Governor agreed upon, asking that the Assembly may sit and act, and that the grievances already complained of may be redressed. Messages to the Governor requesting that John Palmer may be suspended from the Council, and that the verbal messages of the Council as to the qualifications of members may be put in writing. The Governor and Council replied that two of the members formerly objected to were not qualified, and that writs should be issued for election of other members in their places. [*Board of Trade.* Leeward Islands, 64. *pp.* 392-394.]

Nov. 3. **360.** Minutes of Council of Barbados. The Captain of the sloop sent out for intelligence of the French returned and made his report. Recommended to the Assembly that an allowance be made to the sick seamen of H.M.S. Newcastle, and also that Captain Reeves have a suit of French colours.

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Nov. 4. Order for the Virgin, prize, to be careened, and for her and H.M.S. Newcastle to be supplied with provision. Mr. Langley presented a copy of a *mandamus* to be sworn of the Council, but the document being judged not authentic he was not sworn. Order for the accounts with the sloop, hired as an express, to be made up. [*Board of Trade.* Barbados, 65. *pp.* 156-158.]

Nov. 4. **361.** A list of arms and stores contracted for to be sent from England by first opportunity for the service of Barbados. The list consists chiefly of small arms and equipment for a thousand men. 1 *p. Endorsed,* Recd. and read, 4 Nov., 1696. [*Board of Trade.* Barbados, 7. *No.* 17.]

Nov. 4. **362.** Memorandum of a petition from Ralph Lane, received 4 November, read 6 November, delivered to Clerk of Council 16 December, 1696. ½ *p.* [*Board of Trade.* Barbados, 7. *No.* 18.]

Nov. 4. **363.** Journal of Council of Trade and Plantations. The Agents of several Colonies attending were informed of the orders given concerning convoys. Mr. Eyles gave in a list of the arms and stores contracted for for Barbados. The laws of Massachusetts again considered, and a representation upon a portion of them ordered to be prepared.

Nov. 5. Orders for a return of the stores sent to the Colonies since the beginning of the war, to be required of the Ordnance Office. Four letters from Sir William Beeston of 15 June, 19 June, 4 July and 5 July, read. Resolved to represent to the King the matters arising therefrom and other business concerning Jamaica. A representation as to some of the laws of Massachusetts signed.

Nov. 6. A representation from the Council and Assembly of Barbados read, also a petition of Ralph Lane, to which it was resolved to accede. Governor Codrington's letter of 5 May to Mr. Blathwayt was read, also his letter of 2 September (*see No.* 181). Order for an answer to him to be prepared, also a representation concerning the Leeward Islands. The proprietors of East New Jersey appeared and promised to produce copies of their patents and charters. Mr. Nelson represented his own circumstances to the Board, begging that reprisals might be taken upon some French prisoner, and on the suggestion of the Board promised to make enquiry as to the French Governor of Hudson's Bay, lately brought prisoner to England.

Lord Tankerville brought the Board the King's order that all correspondence between it and the Admiralty should be conducted by the Secretaries on both sides. The Board refused a request from one of the proprietors of East New Jersey to be furnished with a copy of its representation as to Attorneys-General. [*Board of Trade.* Journal, 9. *pp.* 205-217.]

Nov. 5. Whitehall. **364.** Lords of Trade and Plantations to the King. Recommending the confirmation of six Acts of Massachusetts passed in 1693, and the disallowance of those to regulate ship-building, and to encourage a Post Office. *Signed,* Tankerville, Ph. Meadows, Wm. Blathwayt, John Pollexfen, John Locke, Abr. Hill. [*Board of Trade.* New England, 8. *No.* 41; *and* 36. *pp.* 48, 49.]

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Nov. 5. Kensington. **365.** Order of the King in Council. Referring a petition of the Proprietors and Agents of Carolina, the Bahamas, Pennsylvania, East and West Jersey and Connecticut, to the Council of Trade for report. *Signed*, Ric. Colinge. ½ *p. Endorsed*, Read 16 Nov., 1696. *Annexed*,

365. 1. Petition of the Proprietors and Agents above named to the King in Council. By summons of the Attorney General of 13 October last we learned that it had been referred to him to report whether the King could not appoint an Attorney-General to our Provinces, notwithstanding all grants and charters, and on waiting upon him read a report of the Commissioners of Customs founded on the information of one Edward Randolph (*see No.* 1981.). We beg that we may be furnished with a copy of this report and that we may have an opportunity of replying thereto. *Signed*, Craven, Bath, Ashley, Berkeley, Wm. Thornburgh (for Sir John Colleton), J. Lane, J. Winthrop, Michael Watts, Wm. Penn. *Copy.* 1¼ *pp.* [*America and West Indies.* 601. *Nos.* 33, 331; *and Board of Trade.* Proprieties, 25. *pp.* 3-4.]

Nov. 5. Kensington. **366.** Order of the King in Council. Disallowing the Acts of Massachusetts for building of ships, and for encouraging a Post Office, passed in 1693. *Signed*, Rich. Colinge. *Copy.* 1 *p. Endorsed*, The original given to Sir H. Ashurst. [*Board of Trade.* New England, 8. *No.* 41; *and* 36. *p.* 53.]

Nov. 5. **367.** Memorandum of an Order in Council as to the appeal of Ralph Lane, dated 5 November, received 11 November, delivered to the Clerks of Council 16 December, 1696. ½ *p.* [*Board of Trade.* Barbados, 7. *No.* 19.]

Nov. 5. **368.** William Popple to Mr. Sanson, Secretary to the Board of Customs. The King has given orders for the convoys for the West Indies to be ready to sail on the 31st of December, after which no ships will be waited for. Two men-of-war are also ordered to Virginia to convoy the homeward-bound fleet from thence. You are therefore to order your officers in the out-ports to give the merchants notice hereof. [*Board of Trade.* Plantations General, 34. *p.* 78.]

Nov. 6. **369.** Minutes of Assembly of Nevis. Message to the Governor. We were much surprised at the vote of the majority of Council that two of our members are not qualified to be Assemblymen, when we have satisfied ourselves that they are, and they have been sworn and have sat and acted with us. We will never part with our privilege in obedience to a vote of the Governor and Council. John Palmer is at the bottom of this and all other mischief in the Island. *Message ends.* Resolved that Thomas Weaver has always behaved himself in the Assembly with honesty and honour. Resolved that John Perry, having threatened the messenger who published the resolutions of this house concerning him, is guilty of a high contempt of the Assembly. Resolved that

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the Governor be entertained at the public expense during his stay in the Island. Message from the Governor and Council. We admire that after our last message you should permit members declared by us to be unqualified to sit among you. Answer of the Assembly. Since our repeated addresses to you have brought us no remedy we appeal to the King. The Assembly was then dissolved. [*Board of Trade.* Leeward Island, 64. *pp.* 395-398.]

Nov. 9. New York. **370.** Governor Fletcher to Lords of Trade and Plantations. Since my last of 17 September, I have had a treaty with the Indians, and send a copy of what passed. Since my return from Albany a party of thirteen French with an Indian guide passed near that place, and were beaten by eleven River Indians, the French commander wounded (since dead), and two others surrendered. A party of three Christians and twenty-three Indians from Albany were immediately sent north to the Great Lake and destroyed their canoes. Meeting with some of the party they cut them all to pieces and brought in their papers. Two of our Indians are wounded. The French endured great hardship and fed upon acorns. It is believed that none of them will get to Canada. I have transmitted the examinations of the prisoners. The three companies on the frontier being much weakened, I prevailed on the Assembly to recruit them for a twelvemonth in May last. Since my return from Albany the Assembly have given a new supply to recruit them against the winter. The inhabitants of Albany are under apprehension of an attack this winter, of which I also have an account. The Governor of Canada had recruits last summer from France, and no assistance is to be expected from the neighbouring Colonies, so that many of the people of Albany think of removing to New York. I am therefore embarking with my own company to put myself in that post for the winter, and hope to take off all their doubts and fears. I shall be cut off by the ice for four months from the rest of the provinces, so have left the necessary orders. The same weather is our security against any attempts of the French by sea. I have made frequent applications for assistance to the neighbouring Colonies, which are fruitless. The Indians were hearty and well disposed, but much inclining to make a peace for themselves. I have remitted a bundle of beaver with their description of Canada to Mr. Blathwayt, which please send to the King. They have limited me to get an answer against the spring. I have also sent an address and an Association signed by the Assembly, it being the first time of their meeting since the King's happy deliverance. I beg you to intercede that the neighbouring Colonies may at least be obliged to contribute to the expense of the frontiers, also that the light fusils formerly asked for may be sent, and a regular supply of ammunition as well as the subsistence of the King's Companies. *Signed,* Ben. Fletcher. 2½ *pp.* *Endorsed,* Recd. 23 June, Read 7 July, 1697.

Enclosed,

370. 1. Journal of Governor Fletcher's expedition to Albany to renew the covenant with the Five Nations. *Sept.* 17. The Governor embarked after sunset. *Sept.* 22. The Governor arrived at Albany, inspected the fortifications,

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and gave orders as to repairs. *Sept.* 27. The Sachems of the Oneidas and Onandagas arrived in the morning, and supped with the Governor in the evening, expressing great satisfaction at meeting him. *Sept.* 28. Captain Weems was sent to Senectady to inspect the garrison and to report as to the repairs that are wanting. This day the Sachems of the three other nations arrived. *Sept.* 29. The Sachems of the Five Nations met, when the Governor addressed them, condoling with them for the losses of the Onandagas and Oneidas, recounting his coming to their assistance in August and delivering them presents of clothing, arms and ammunition to the value of £200 sterling from the King, in pledge of his protection, and of further articles from the New York Government, to the value of £400, New York money. *Oct.* 1. The Sachems of the Five Nations again met the Governor, when a Sachem of the Maquas first addressed him. The speaker thanked the Governor for his condolence and his presents, but complained that the enemy had brought them very low, having destroyed five out of six of their castles, and that if the remaining castle were destroyed they knew not what they should do. He then said that since the King of England had canoes of seventy guns apiece it was a great pity that the Five Nations should be plagued by so small an enemy as the French and the Indians of Canada; that the Five Nations were much reduced, but that if the other Colonies, who had all put their hand to the Covenant, would join with New York, they were ready to go and root the French out of Canada. The speaker then laid down a bundle of beaver-skins, and on the outside thereof a draft of the river of Canada, with the chief places marked thereon, to shew the smallness of the enemy and their seats upon the river; which draft he desired should be sent to the King. He then again thanked the Governor for the promise of the King's protection, and begged him to send to the King again with all speed to report what they had said, offering five beaver skins to pay for the pens, paper and ink, and to ask the King definitely whether he will send his ships and armies to destroy the French in Canada next spring. *Oct.* 2. The Five Nations again met Governor Fletcher when a Sachem of the Senecas was speaker. He solemnly renewed the covenant of the Five Nations with the whole of the Colonies, and begged that all that they had said might be reported to the King. The Governor then renewed the covenant on his side, on behalf of all the Colonies, assured the Five Nations of the King's protection, and told them that he had provided victuals and drink that they might drink the King's health. The Indians answered by acclamations. *Oct.* 3. The principal Sachems met the Governor in

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private conference, when the Governor told them that it was impossible, owing to the perils and uncertainties of the sea, to obtain in so short a time an answer from the King as to an attack on Canada in the next spring, but that he would take all measures to write and obtain an answer as speedily as possible, and meanwhile had appointed Major Peter Schuyler, Godfrey Dellius, Dirck Wessells and the Mayor of Albany to hear any propositions that they might make. He then gave each of them a keg of rum to comfort them on their way home, and bade them farewell. A Sachem of the Maquas then rose and spoke. Where, he asked, were the other Colonies, which had long been joined with New York in the circuit? They are asleep (he said), they come not to our assistance. We are now down upon our knee but not quite down upon the ground. Let the King send his great canoes, and let the brethren of the other provinces awake, and we shall stand on our feet. We again ask you to write to the King and obtain an answer against next spring. Let it not be said that the canoes are lost under water and that the wind has carried them into another country, but let us have an answer against the trees grow green. The Governor then answered that he would assuredly write as soon as possible and return the King's answer also, but he could not depend upon the time, as voyages were uncertain. He then again bid the chiefs farewell, who answered with acclamations. *Oct.* 4. Clothing was delivered to the foot companies, as a gratuity from the Assembly. *Oct.* 5. The Companies were mustered and sworn, when two dollars of the fourpence a day voted by the Assembly were paid to every man. The Governor at the head of his company bade the men not listen to factious and disaffected persons, promising that the fourpence a day should be paid into their own hands. In the afternoon the Governor embarked for New York, arriving there on the 9th of October. *Copy.* 10 *pp. Endorsed,* Recd. 23 June, 1697; Read 9 April, 1698.

370. II. Examination of three French prisoners, taken at Fort Orange, Albany, on the 16th of October, 1696. Joseph de Boake gave information that on the 24th of September he marched from Montreal, by orders from the Governor of that place, with twenty-one Frenchmen and one Indian, taking forty-five days' provisions. They were twelve days on the river and landed on the shore of Lake "Shamphire" [Champlain], where they left their three canoes and started with ten days' provisions only to make an attack on the Five Nations or on the English. After eight days' travel they arrived at some uninhabited houses over against the flats, where he and two more went forward to discuss what he could, but seeing three Indians retreated to his party and retreated

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with them to a thicket for the night. Next morning they marched to Kinderhook and next day about two hours before sunset they were attacked, when only thirteen of them were together, the rest being dispersed or lost. After some firing on both sides he and his party retreated, but he himself being grievously wounded was unable to proceed and exhorted the rest to surrender to the English, lest they should fall into the hands of the Indians. All refused except two, who surrendered with him three days later to the inhabitants of Scotack. The examinant further deposed that he commanded the batteaux and canoes that carried Count Frontenac, with 1,600 French and 460 Indians, in his expedition within three leagues of the Onandagas' Castle, where they landed with two small field-pieces and two small mortars to throw hand grenades. That same day they moved up towards the Castle, but found it burnt. They destroyed all the Indian corn round the place and then moved to the Oneidas' Castle, which they burnt, destroying also all the corn. In the Castle were thirty women and children, who surrendered. After this the expedition returned home, meeting with some small skirmishes on the way. Examinant also said that twelve ships, six of them men-of-war, arrived at Quebec in September, with 300 recruits, ammunition and stores. The two other prisoners disclaimed all knowledge of Count Frontenac's expedition, and one of them deposed that there was no fixed reward offered for any mischief that they singly do in these parts. *Copy.* 2½ *pp. Endorsed,* Recd. 23 June, 1697. Read 9 April, 1698. [*Board of Trade.* New York, 6. *Nos.* 70, 70i, ii; *and* (*without enclosures*) 52. *pp.* 158-161.]

Nov. 9. New York. **371.** Governor Fletcher to the Duke of Shrewsbury. Since my last I have been to Albany to meet the Indians. I found them true to the English, but inclinable to peace. They make remarks how the small number of French in Canada hold out and vex the English, who are so numerous on this main. They have earnestly solicited me to write to the Great King and to get them an answer in the spring whether he will send his canoes of seventy guns and destroy Canada that they may make a peace for themselves. They have also sent the King a small bundle of beaver skins, four black strokes upon the outside representing the river of Canada and three round strokes the three principal places. I have sent him the propositions, and beg you to obtain some answer or directions from the King. The Indians are a people of some consequence to these Colonies, and the barrier between the French and us. I have given them the presents sent by the King with some additions from this Government in consideration of their losses in defeating the French. The Assembly has also consented to provide for their maintenance during the winter. Our frequent alarms bring a hard duty and expense on the Province, so that the revenue is much anticipated, and the people uneasy because of the

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inequality of the burden, since our neighbours will give us no assistance. I have prevailed with the Assembly to recruit the companies, and am just about embarquing for Albany for the winter. One of the fighting captains of Oneida came down the river with me, and was desirous to see if the Great King of Britain fights the French, as is reported at Albany. I could find no interpreter to accompany him, so am obliged to send him back to his own Castle. A party of French which lately appeared near Albany were defeated by our people, while a party of ours that went North after them brought in seven scalps. I beg for the regular supply of stores and of pay for the companies. I find it hard to recruit the companies here, but by the Assembly's assistance have enlisted men for short periods. Men are not to be had on other terms here, since wages are so high. Colonel Ingoldsby has a twelve months' furlough from the King. Officers here are more difficult to be got than men, so I hope the King will give no more furloughs to officers here. *Signed.* Ben. Fletcher, 3 *pp. Endorsed,* Recd. and read 2 July, 1697. [*Board of Trade.* New York, 6. *No.* 71; *and* 52. *pp.* 152-155.]

Nov. 9. New York. **372.** Governor Fletcher to William Blathwayt. *Reports briefly his treaty with the Indians and the defeat of the French party, as in the two preceding letters.* I am informed that the French have a design to attack Albany this winter, and I am now embarking for that place with a detachment of my own company. I cannot depend on help from our neighbours, but I hope, by the grace of God, with the forces I have, and such as I can draw together from Duchess and Ulster Counties, to give them so warm an entertainment as will make them repent their journey. This will be my third voyage to Albany this year. We are much pressed by constant alarms and the expense of war. Pray try to obtain us relief from the neighbouring provinces, also some light fusils from the Indians, and regular remissions of stores and pay for the foot-companies. *Signed,* Ben. Fletcher. 2 *pp. Endorsed,* Recd. and read 27 July, 1697. [*Board of Trade.* New York, 6. *No.* 72; *and* 52. *pp.* 183-185.]

Nov. 9. **373.** Journal of Council of Trade and Plantations. Several Jamaica merchants attended, bringing with them a ship's master, who had been captured by the French, and who gave information that he had been very closely questioned by the French about Jamaica, and that his suspicion that an attack on the Island was in train was confirmed from the sources. They then gave in a memorial of measures necessary for the defence of Jamaica (*see next abstracts*).

Mr. Thornburgh attended, who reported that, though there was only strong presumption of Governor Trott's misbehaviour in entertaining pirates at the Bahamas, yet the Proprietors had turned him out.

A paper entitled "Misdemeanours of the Commanders of some of the King's ships" was read and the Agents for New York were ordered to attend next meeting to give information thereon. [*Board of Trade.* Journal, 9. *pp.* 218-223.]

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Nov. 9. **374.** Memorial of the Agents for Jamaica to Sir William Trumbull. There is advice by private and public accounts that the French are fitting out a fleet of fifteen sail with land-soldiers and several warlike instruments proper for the West Indies. The season of the year and the great enquiries made of prisoners taken when coming from Jamaica point to an attack on that place or on Havana, which we rather believe because they have advanced one Bear, a pirate who fled from Jamaica to Havana and who knows all the Islands, to be commander. Bear has at last been with the French in Hispaniola and is now in France, much caressed. The booty they may get in Jamaica and the loss that the people will sustain either there or at Havana (on which place the safety of the West Indian trade greatly depends) will, we hope, be sufficient considerations to urge you to give the necessary orders for rendering these attempts of the enemy unsuccessful. 1½ *pp. Endorsed,* Read 9 Nov. 1696. [*Board of Trade.* Jamaica, 8. *No.* 25.]

Nov. 9. **375.** Memorial of the Agents of Jamaica to the Lords of the Admiralty. The French fleet for the West Indies is ready to sail, so we doubt if there is time to prepare a sufficient number of men-of-war to cope with them at sea, which otherwise would be the best method of securing Jamaica and saving the Spaniards. The loss of the Spaniards in its consequences so nearly concerns us that our ruin is the next. By this means the galleons and flota may be conveyed safe to Spain, and how much that will concern all the confederacy anyone may judge. On their return they may touch at Newfoundland at the principal time of the year for their fishery, and may be back to Europe in May for the summer's business, provided they sail speedily, and all this done in the healthfullest time of the year. But if this cannot be done, then it is absolutely necessary that at least six men-of-war and two fire-ships be sent to be ready in harbour [Port Royal] before the French arrive, by whose help it may in all probability be secured. But otherwise it will be impossible against the greatest force that ever went to the Indies. Captain Lilly is now here, has been upon the place and can shew absolute necessity of what is here offered, and would be a fit person (if encouraged) to send with an express, both which seem immediately necessary. And for the more private and speedy expedition it would be convenient that the ships sail as soon as ready, though only two at a time, and with the first the fireships, if possible. 1 *p. An extremely confused statement. Endorsed,* Read 9 Nov. 1696. [*Board of Trade.* Jamaica, 8. *No.* 26.]

[Nov. 9.] **376.** Captain Lilly to Bartholomew Gracedieu. I am forced to leave town this morning, but will attend you on Wednesday without fail. Meantime I don't know well what to say as to the French design upon Jamaica nor what can be done in this exigency, unless a sufficient number of men-of-war to beat them at sea might be sent. In default of that a sufficient number of fire-ships might be sent out, to be there before the enemy, and to anchor at the entrance to Port Royal so as to burn and destroy them if they attempt to come in. Two or three more men-of-war might also be sent to lie within the harbour's mouth. I think the sending of fire-ships would be a practicable expedient to keep the

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enemy in awe till relief can be sent; for if they have a design upon Jamaica, they cannot (at least not without great difficulty) make conquest of it unless they begin with Port Royal, for that place is the key and entrance to the conquest of the rest. I must confess that the enemy may pass it if they find too great danger in attacking it, and perhaps go down to Old Harbour and Withywood as they did before, but in that way they will hardly master the whole Island, for, if Port Royal be safe, Liguanea may hold out for a great while, in spite of the loss of the rest, until succoured from home. *Signed*, J. Lilly. 1 *p. Endorsed*, Read 9 Nov. 1696. [*Board of Trade.* Jamaica, 8. *No.* 27.]

Nov. 9. **377.** "Misdemeanours of some of the Commanders of the King's ships in the plantations." Captain Richard Finch, late Commander and purser of the Henry, prize, in Virginia in 1691-1692, having seventy five or more men allowed to him, gave many of them leave to sail in sloops belonging to the inhabitants and on merchant's employ, for wages. One of them (a midshipman, I take it) went mate of a barque from James River to Barbados. She was cast away on her return and several men were drowned, the mate narrowly escaping. He seldom had thirty men and boys (with officers and all) aboard in the King's service, and they were in want of clothes, whereby the King had little or no service done all the time he was there, from that ship. Major William Wilson can testify to this. Captain Finch had not men enough aboard to careen his ship when he was to come for England, but had Captain Isaac Townsend's men to help him. A little before his sailing for England he pressed planters and other poor inhabitants who had wives and children, and carried some of them to England, to the great disturbance of the country.

Captain Thomas Evans, Commander and purser of H.M. frigate Richmond at New York in the year 1694 and since, keeps a common brew-house and bake-house at Fresh Water near New York, as several witnesses can testify. Captain Cales, master of a brigantine which arrived not long since, is either the mate or some other officer belonging to the Richmond. He can say from whom he took his bread and beer for his voyage, and whether he is discharged from the frigate or still on the purser's books. He can also inform you how many men were usually aboard the frigate, and he and others can tell whether Captain Evans and his family do not live ashore, and how he carries himself to gain the masters of ships and others to be his customers. The informer does not put his name to this paper lest he should fall under a displeasure which he cannot bear. 1½ *pp. Endorsed*, Recd. and read 9 Nov. 1696. [*Board of Trade.* Plantations General, 4. *No.* 15.]

Nov. 9. **378.** The Council of Trade to the Master General of the Ordnance. Asking for a return of the ordnance stores supplied to the Colonies since the beginning of the King's reign. *Signed*, Bridgewater, Ph. Meadows, Wm. Blathwayt, John Pollexfen, John Locke, Abr. Hill. [*Board of Trade.* Plantations General, 34. *p.* 81.]

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Nov. 10. **379.** Copy of a correspondence between Governors Fletcher and Nicholson. Governor Fletcher to Governor Nicholson. New York, 22 June, 1696. I have not been able to obtain one man from any of the neighbouring Colonies towards reinforcing our frontiers, but with some difficulty have recruited the King's Companies. Three of them are at Albany, which is all the force that I can make for defence of that place. My own company is in this fort. The burden of this province is very heavy; it must sink without assistance. I shall not be wanting, I hope, in any part of my duty, but endeavour to overcome all difficulties as becomes a loyal subject and an honest man. Sir Edward Andros sent £1,000, New York money. The sum you mention in yours of 19th May would be a seasonable kindness in our great necessity.

Governor Nicholson to Governor Fletcher. Port of Annapolis, Maryland, 8 July, 1696. I have communicated yours of 22 June to the General Assembly and enclose their resolution in answer thereto. We have no account of the arrival of our London ships yet, so no European news.

Here follows, Copy of a proposal sent by Governor Nicholson to the Burgesses of Maryland to send further assistance to New York, Governor Nicholson offering to lend the money if wanting. Answer of the Burgesses thanking the Governor for his generous offer, but declining it as they think that they have already sent enough assistance to New York.

Governor Fletcher to Governor Nicholson. New York, 10 November, 1696. I have met the Sachems of the Five Nations and have endeavoured to confirm them in their friendship. Details are enclosed. I have intelligence that the French intend to attack Albany this winter and that they have recruits from France, which is confirmed by Captain Paxton, who was lately a prisoner in a French man-of-war. A party of thirty-one French and Indians was sent out from Montreal with orders to do all possible mischief against us, and if possible to gain prisoners and intelligence. Our Indians encountered thirteen of them near Albany, and took two besides the Captain, who was wounded and is since dead. We sent out a party to cut off the retreat of the rest, which destroyed their canoes and killed a party of seven of them. I am just embarking for Albany, where I think it needful to reside this winter. I have no assistance from the neighbouring provinces. *The whole*, 2 *pp.* [*Board of Trade.* New York, 6. *No.* 73.]

Nov. 10. **380.** Minutes of Council of Barbados. Order for H.M.S. Newcastle to cruise to windward, taking eighty of the "Whitecoats" on board. The Assembly brought up an answer granting an additional allowance to certain sick seamen, and an address for speedy despatch of the bills before Council. Order for the Treasurer to supply a set of French colours.

Nov. 11. The Council finding from Governor Russell's instructions that they could not sit as a Court of Admiralty appointed Jonathan Langley to be sole Judge of Admiralty. [*Board of Trade.* Barbados, 65. *pp.* 161-162.]

Nov. 11. **381.** The Attorney and Solicitor General to the Council of Trade and Plantations. We see no objection to the laws of Antigua

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and Montserrat submitted to us on September 15; but we are doubtful how far the Act of Montserrat for encouraging the importation of white servants may tend to encourage spiriting away Englishman without their consent and selling them there for slaves, which has been a very frequent practice and is known by the name of kidnapping. For it is enacted that there shall be paid from the public Treasury for each able white servant delivered on shore 2,500 *lbs.* of sugar, and the Governor and two of the Council are empowered to place the servants so imported on any plantation where they are wanting, the occupier whereof is to reimburse the treasury. *Signed*, Tho. Trevor, Jo. Hawles. 2½ *pp.* [*Board of Trade.* Leeward Islands, 5. *No.* 15; *and* 45. *pp.* 32-34.]

Nov. ½½. **382.** The Envoy of Brandenburg to the King of England. The Island of Nieu-Ter-Tholen [Tortola], one the Caribbees, has in virtue of several treaties of cession and sale, long been in the hands of private individuals, subjects of the United Provinces, and lastly of the heirs of William Huntum, by deed of sale by Abraham and Peter Adriansen. Shortly after Huntum's death, the war between France and the United Provinces broke out, and his widow and heirs placed the Island under protection of Governor William Stapleton of the Leeward Islands, on the express condition that it should be restored at the close of the war. When peace was made, the proprietors applied to Sir W. Stapleton for restitution of the Island, who answered that he could not do so without an order from the King. In 1684 the proprietors, with the support of the States General, made application to King Charles II. for restitution of the Island, M. van Citters presenting a memorial on the subject on the 16th of March, 1684. He was answered that Sir William Stapleton was about to return to England, and that the affair would be taken in hand as soon as he arrived. Meanwhile King Charles died, and M. van Citters received orders to renew his application to King James, which he did in May 1686. Sir William Stapleton had meanwhile returned, but the business was deferred, owing to the state of his health, which compelled him to go to France. In August 1786 M. van Citters presented another memorial asking for the restitution of the Island to its owners without further delay, and the King promised to give positive orders to Governor Sir Nathaniel Johnson to that effect, which promise was confirmed in writing by Lord Middleton; but Sir N. Johnson's departure was long delayed; and then with the Revolution and the war the matter was forgotten. Meanwhile by a deed of 21 June, 1695, the proprietors sold the Island to Sir Joseph Shepheard, merchant of Rotterdam, who has made Sir Peter Vanbell his agent to take possession of the Island. By Sir Peter's request I beg you to order the Governor in the Caribbees to restore the Island to him. The Island is of little value, having been last sold for £400, and there are only four or five families on it, but as a matter of justice I beg that your Majesty will order its restitution. *Signed*, J. E. van Danckelman. *French.* 7½ *pp.* *Endorsed*, R. ½½ Nov. 1696, *Annexed*,

382. I. Certificate of the sale of the island of Nieu Ter Tholen to William Huntum. 23 Feb., 1663. *Copy. Dutch.* 2 *pp.*

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382. II. Memorial of Ambassador van Citters to King Charles II. for restoration of the Island. 31 March, 1684. *Copy. French.* 1¼ *pp.*

382. III. Copy of a letter from Ambassador van Citters to the States General, reporting the verbal answer to his memorial. March, 1684. *Dutch.* 1 *p.*

382. IV. Further memorial of Ambassador van Citters to King James, renewing his request for the restitution of the Island. $\frac{7}{17}$ August, 1686. *Copy. French.* 2 *pp.*

382. V. Copy of a letter of Ambassador van Citters to the States General. 30 Sept, 1696. Reporting the King's verbal promise to restore the Island, in reply to his last memorial. *Dutch.* 1 *p.*

382. VI. Copy of a letter from Lord Midleton to Ambassador van Citters, promising speedy restitution of the Island. *French.* 1 *p.*

382. VII. Copy of the deed for sale of the Island to Joseph Shepheard. 21 June, 1695. *Dutch.* 6 *pp.*

382. VIII. Copy of the letter of Attorney to Peter Vanbell to take possession of the Island. *Dutch.* 2 *pp.* [*Board of Trade.* Leeward Islands, 5. *Nos.* 16, 16I.-VIII. *and* (*without enclosures*) 45. *pp.* 25-29.]

Nov. 11. **383.** Council of Trade and Plantations to the King. Reciting the contents of Governor Codrington's letters of 12 February, 5 May and 2 September, and recommending that the resettlement of the French part of St. Christophers be discouraged without a further assurance of lasting possession, which cannot be relied on at present, and that the substitution of the quit-rents for the four and a half *per cent.* duty be not sanctioned. *Signed*, Bridgewater, Tankerville, Ph. Meadows, Wm. Blathwayt, John Pollexfen, John Locke, Abr. Hill. [*Board of Trade.* Leeward Islands, 45. *pp.* 18, 19.]

Nov. 11. **384.** An account (in the form of a letter) of Commodore Wilmot's expedition to Hispaniola. You ask me why the men died so fast and why so little was done in the late expedition to Hispaniola. Many others have asked me the question, and as it is now a matter for the King's service, I give you my opinion. In the first place Europeans in those hot countries die faster than here, but the men in the expedition died faster than usual even in the West Indies. The King had taken care to provide the fleet with cooling and wholesome foods, such as flour, barley, currants, etc., but I believe that they were so sparingly delivered, when they were delivered at all, that the want of them may well have contributed to the great mortality. After most of the men were dead, these stores were sold at Jamaica. The extraordinary length of the voyage was one great cause of the mortality. It was six months and a half from the time when we left Plymouth to our arrival at Jamaica; and all the while the men were enduring either hardships on ship-board or fatigues ashore. The men too were exposed to needless fatigues which occasioned them to fall away as though the most contagious plague were among them. Thus, about the 20th of May, at Cap François, which was our first landing-place, the Commander of the

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land-forces had, by general report, about 900 men landed in health and fighting condition. Some days afterwards he undertook a very tedious march through a vast wilderness, when the men were exposed to want of provisions and incredible fatigues through the woods and bushes. They were forced to wade over vast rivers, crossing one in particular forty or fifty times and generally up to their necks, and there were neither roads nor paths but such as were made by floods. For what reason he did this I cannot tell, for there was no enemy to engage nor plantations to ruin, and he might very easily have gone by sea without the risk of losing a man. There were ships enough to have transported his forces and the Spaniards to Port de Paix, where after fifteen days of such difficult march he arrived. I counted his numbers as he advanced to the place appointed to him near the fortress, and there were not above thirty-seven files, four deep. I know of none that were on duty except a serjeant and twelve men; which in all could not make up above 160 private men. Now this sudden and great loss of men could have been due only to the needless fatigues of this march, for so far they had yet been in no engagement. This Regiment left England with 1,200 men besides officers, and all this happened before the enemy offered to defend themselves. In like manner the seamen were harassed to and fro and exposed to needless fatigues by the covetousness, jealousies and misunderstandings of the commanders-in-chief, each of them following his own caprices instead of joining with the other, until ruin and calamity ensued.

As to the little service done, more remains to be said. Two heads on one body seldom do well, and this was one cause of our miscarriage both at Hispaniola and at Martinique, where also I served as engineer. The King particularly exhorted them to agree, but this exhortation was not attended to after we entered latitude 36°, when at a Council of War they disagreed about the pre-eminence of their officers sitting. At St. Christophers they fell out to that degree that upbraidings of cowardice and several unbecoming words passed between them in the presence of General Codrington and others, where it seemed to me that the Commodore was the oppressor. When we came to enter upon action they still harped on the same strings, and I declare that in eleven sieges and half as many field-battles that I have seen, I have never witnessed such disorders and disagreements. At the siege of Port de Paix, for instance, the land-forces and the Spaniards attacked it on the east side (where my duty called me with the train of Artillery) and the Commodore and seamen landed and attacked it to westward. They kept two distinct camps and never corresponded together. Each called his own Council of War, each protested against the other's doings, and both shewed a jealousy of me because I tried to dissuade them from these irregularities, and could not forbear protesting against the proceedings of both, though at the same time I could not avoid obeying the Commander of the land forces, notwithstanding his false notions of the thing we were about. Another chief reason why so little was done in the expedition was the delay of time. At Madeira and St. Christophers together we lost twelve days, whereas three at each place would have sufficed.

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At St. Domingo, after the agreement with the Governor was arranged and the Spanish forces were on march, we stayed five days; and some would think eleven days' delay before the time of action to be of little consequence, yet it added to the time of keeping the forces on ship-board and so to the weakening thereof. On entering upon action it was the same. On the 20th of May we were masters of Cap François, yet we stayed there till the 30th, whereas the destroying of the fortifications (consisting only of a small redoubt and a line of batteries on the seaside), the carrying off of 39 pieces of cannon, and the ruining of a few plantations might as well have been done in two days as two years, there being but 300 of the enemy thereabouts, who fled to the mountains. This makes the days of delay up to nineteen. On the 30th of May the Commander of the land forces began his march through a wilderness, without any reason that I could perceive, and after fifteen days' march arrived on the 14th of June before Port de Paix, whereas we might easily have gone there by sea in a day or two. This increases the delay of nineteen days to thirty-two. Before this place the Commander of the land forces remained seven days at a distance before he could be persuaded to draw near so as to lay violent hands on it. It was also seven days before the Commodore landed with the seamen to attack it, and thus, by the misunderstanding of those two officers and their ignorance in military affairs much time was spent. Very few men at a time, or none at all, were allowed for carrying on the works, the landing of the ordnance and the transporting of it to the batteries was neglected. The Commodore made a breach on his side of the castle without opening the way to it through the other fortifications. The Commander of the land forces on the other side breached the outer works, but had no men left for an assault, had it been needed; and, what was worse, the place was not assaultable at the place where he would have it, though advised to the contrary, it being a rocky precipice. Thus they did divert themselves for full twenty days, whereas a week would have sufficed for the taking of the place if they had taken right measures, as I told them when I first viewed the place. If the French Governor had been versed in soldiery I am sure that the way in which we went to work could not have forced him to quit it. Yet thus there was, at the lowest computation, twelve days misspent, which added to thirty-two make forty-four. Again, after the enemy quitted the place we remained there full thirteen days, whereas four or five would have sufficed for carrying off the cannon and for ruining the fortifications more than we did. This added to forty-four, makes fifty-two days lost by delays. Half of that time would have sufficed for the destruction of the rest of the enemy's settlements in Hispaniola, for they had no more fortifications, and, by the best intelligence, not above 800 men in the body to oppose us; whereas we, with the Spaniards and seamen, could land 3,000 besides 500 in Jamaica ready to come to our assistance. The Governor of that Island sent one of his Council in a man-of-war to join us a month before we entered in action, and after that another man-of-war and two sloops, every one of them (as I hear) carrying messages to that purpose; but the commanders would send him no answer, whether through jealousy, self-interest or from what motive

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I leave them to declare. There is no doubt that we could have destroyed all the French settlements in Hispaniola if things had been rightly managed. These are my reasons why the men died so fast, and why so little was accomplished. I could say much more as to the ill conduct and irregularities that were committed during the expedition.

You ask me next what measures can be taken to have better service done and to preserve the men's lives in such expeditions. This is more difficult to answer. First I wish that the commanders, both by sea and land, should be expert men of tried courage and conduct. Courage may be natural to a man, but expert military conduct cannot be acquired without diligent application and great experience. It is in my opinion a very wrong notion that a man, who by the purse or the blindness of fortune has usurped a title, should be let loose in the world with an army at his heels. The person should make the title good, not the title the person. Next, as I have said, the Commander should have sole command by sea and land, so that there shall be no rival to frustrate his designs through jealousy, no divisions, and no delays nor confusions. In defect of either I should prefer the Commander to abound in knowledge of land-service rather than that at sea. The actions are generally ashore, and the fleet does little more but transport the forces from place to place. In land-service the variety of circumstances require much consideration, while at sea each captain knows how to engage an enemy's ship. If the assistance of ships is required for land-actions, measures are commonly taken by a Council of War. Thirdly, one man or more of equal capacity should be appointed to take the Commander-in-Chief's place if he should die or be disabled. Seniority is but a bad rule in such cases, for the longest apprenticeship does not always make the best workman. Next, as to the men. It is known by experience that it is difficult to get men to go on these expeditions, which are so full of risk and of hardship. I cannot tell how to remedy this unless the King increase the salary, as is done for miners and others who are exposed in sieges to extraordinary peril. Then I think the King would have as good officers and men to serve him in the Indies as at home. Besides, their salary during their stay should be proportioned to the price of commodities and provisions, which in Jamaica are 100 per cent. and more greater than at home. The number of men to be employed must depend upon the design. At Martinique, which is the strongest French settlement in the West Indies that I know of, there are about 3,000 men who can easily be collected, one fort, St. Pierre, which is inconsiderable, and another, Fort Royal, which is the strongest place that the French have in the West Indies, being upon a high flat rock and on a peninsula whereof the isthmus is low and almost level with the sea. To reduce it therefore, there would be required at least six or seven thousand men ashore, ten battering cannon, four field-pieces, four middle-sized mortars and 2,000 bombs. Even so Fort Royal would furnish them with a tough piece of work if the Governor thereof understands his business. At Hispaniola there are about 2,000 fighting men of the French, not easily to be gathered into one body. There is but one

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fort of any moment, so for its reduction 4,000 men ashore, 8 battering cannon, 4 field pieces and two mortars with 800 bombs should suffice. Now as to the ordnance to be sent. I have set down certain figures, but it would be far better to send more than less. Good husbandry in fitting out an expedition commonly turns to decuple loss; after the expedition is fitted out, the good husbandry is valuable. Next, at least one good and expert engineer should accompany the General, in case his knowledge of fortifications should be defective. As a rule one, or few, are allowed on these expeditions. An ignoramus will only multiply the General's errors ten-fold, so the engineer should be one who has the theory of his profession by heart, and has had his hands in a great deal of the practice, for in a siege almost as much depends on him as on the Commander-in-Chief. When the ordnance and stores are fitting out (and they should be exquisite good, for there is no arsenal to receive them) I would have the General and the engineer to be liberal in their inspections and to reject unserviceable articles. They as well as the Commissary should have a perfect list of what is sent out, with a particular account where everything, from the least linch-pin to the heaviest cannon, is laid in the ships, that there may be no delay or difficulty when the time comes for landing them. All officers, gunners and others of the train should be expert men, so that when the time comes for action they may not have their profession to learn, nor the King have to pay dear for their learning. I shall not meddle with the number of transports and men-of-war, which must depend upon the design and the enemy's strength, but I could wish alteration to be made in the number of men sent in the ships of war, and in the provisions for them and for the rest of the forces. The crews of ships of war sent to the West Indies are commonly lessened before they proceed on their voyage, where their number is yet faster reduced by their sufferings, their own intemperance and the climate, to such a degree that after a short stay there a third or fourth rate frigate shall hardly withstand a privateer. This leads them to rob our Colonies of men, which risks the loss of the Islands when the enemy think fit to attack them. This, methinks, is a sad case, and might be remedied by rather augmenting the number of men in the King's ships before they are sent to the West Indies. But this is rather out of my sphere, so I shall not insist thereon. Next, the men in these voyages commonly feed much on salt provisions, which makes them more subject to fevers and leads them to drink great quantities of liquor, which, when the water grows bad, causes fluxes and other diseases. I wish that instead of the greatest part of the salt provisions there could be carried a great many sorts of vegetable products, which in my opinion could be as cheaply and easily carried, and being wholesome cooling food would be better fitted for those climates. I am apt to think that this would save thousands of men's lives.

When all the aforesaid things are regulated, I would have it done with greater privacy than heretofore, for I have observed that in several like cases our designs have been talked of for six months or more beforehand, which enables the enemy to prevent them. When everything is in readiness I would not have the men embark till

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just when the ships are ready to sail. That being done, and the Commander-in-Chief having received his instructions, I would have him take a firm resolution to lead a sober and temperate life, and endeavour by persuasion and example (but whereas that seldom prevails, by enforcing the laws provided for the same) to have the same temperance and sobriety observed by all the forces under his command. This is a very material point, and absolutely necessary in these expeditions. He should issue his sailing-orders exactly to each of his ships (this was omitted in the last expedition but by chance caused but a week's delay) and proceed on his voyage, not stopping above a day or two, if possible, where he touches for water and other necessaries. He should all along endeavour to keep unity and friendship between the officers, soldiers and seamen, do careful justice to all, cause the provisions to be regularly and exactly distributed, and suffer no suttling at all among the men or anybody, for it will only lead to intemperance and so to mischief. Arrived at the place of action he should consult his orders carefully and call his officers also to consultation, for several heads will always see and know more than one. I will not lay down the rules for him in the field or at a siege, for that would demand a volume, and I suppose him to be a man who is no novice therein, and is acquainted with the enemy's methods of fighting there. They generally have very long fire-arms, with which they generally fight in ambuscade or under covert. There is seldom horse to be encountered, so pikes are of no use. He should expose his men to as little fatigue as possible, but what cannot be avoided should be done off-hand while the men are in health, lest sickness should come upon them and force him to leave the King's work undone, as usually has happened. He should dispatch his business with vigilance and expedition, and avoid confusions and delays as the most pernicious things in all military achievements. When he has done what he has been ordered to do I would have him immediately retire to refresh his forces, still observing temperance and sobriety, on which depends the saving of many men's lives. If these methods were followed, there would I think be better service done and many more men's lives preserved.

Lastly as to the information you require as to secure Jamaica, I would answer (1) It should be better fortified. (2) It should be supplied with more men. The inhabited part of Jamaica is for the most part naturally fortified, from Roundhill all along the back side of Withywood and Guanaboa, to the northernmost part of Sixteen Mile Walk, there runs a long chain of mountains which secures the aforesaid places on that side. From the northernmost part of Sixteen Mile Walk all along the back side of Liganee to the Rock there runs another long chain of mountains, which secures part of the country about Sixteen Mile Walk and all Liganee on that side. From the Rock runs an isthmus of ten or twelve miles long to Port Royal, which secures all Liganee on the sea-side. Over against Port Royal begins a rocky shore, which continues almost to Old Harbour, and secures a great part of the lowlands between Spanishtown and the sea. These are the natural fortifications which protect the only part of the Island now inhabited. It follows that there are five places to be seized and fortified. The first (but

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one of the least material) is Sixteen Mile Walk, where there is a narrow pass from the north side; there a small redoubt for one or two hundred men would suffice. The second is at the Rock, where there is a small but difficult pass; here a small traverse with five or six field-pieces would be sufficient, for the building of which orders were given when I was there. The third and fourth places are Old Harbour and Withywood, in each of which there should be a good strong field-force with some small redoubts or other entrenchments where it is necessary. For these last some advantageous situations should be chosen, where the forces could repair as their place of arms. These forts could be built of earth, wood and fascines, and secured with good strong palisades, of all of which matters the country affords abundance. I do not pretend that two field forts will prevent an enemy from landing, for there are several landing-places, but I am sure that an enemy will not venture into the country and leave unreduced fortifications behind them, to cut off their retreat and their communication with their ships. If an enemy should attack the said forts, that would give time for the rest of the forces in Jamaica to come to their relief. The fifth and most material place is Port Royal, which lies on the point of a long peninsula, and not only covers all Liguanea but a great part of the rest of the inhabited country. There is a small fort there, I confess, but of little significance in case of an attack. It is something like a square redoubt of forty or fifty paces to a side, with two small bastions towards the town, but nothing towards the sea but a small semi-circular advance in the middle of that side, capable of containing three or four pieces of cannon. The walls are built after the ancient way of fortifications and are not cannon-proof. The embrasures are arched over, and so large as to be more like gates for the enemy to enter at than port-holes. There is not so much as a trench or palisade round it, and I believe not six pieces of cannon that can bear at one time upon a ship when opposite to it. Outside this fort, when I was there, was a long line of cannon, but so extremely exposed to the enemy's fire that it would be hard matter for anyone to use them in case of an attack, and they are of no use at all in case an enemy gets into the harbour, for they can then be taken in reverse. This is the chief artificial fortification of Port Royal, and the natural fortification is not much except that it is now an Island, for the town is all open to the harbour and partly to the sea. In my opinion, therefore, there would be no great difficulty for a small fleet to master it, and less risk than in encountering two stout men-of-war, were it not for our own ships in the harbour, as I can explain if required. This place, being the bulwark and gate to the conquest of the Island, should be better secured. The side of the fort towards the sea, already falling down, should be rebuilt in some figure better suited for its defence, and the whole should be surrounded by a good deep ditch and a row or two of strong palisades. The embrasures should be lessened to two feet at most to protect the gunners at their guns. The battery on the east side should be made defensible and cannon proof. The plot of land to north-west of the fort should be taken into a horn-work and fitted for several guns, to defend it against attack in reverse. To

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eastward of the town a work should be thrown up to cover it against the isthmus, and to guard against surprises by boats on that side. These fortifications could also be built of earth and wood; which would save much expense and would suffice if they lasted to the end of the war. Also the Island requires 1,000 men at least to guard the fortifications. There is great want of good gunners, but above all of a skilful engineer. Two more eleven-inch mortars should be sent out, with 300 bombs. These are most part of the things which, in my opinion, are absolutely necessary at Jamaica, and if the Island should be put into this posture of defence I do not question that it would be in a thriving condition again, for the people would think themselves and their estates to be in security and so the place would increase in strength and riches, whereas in its present defenceless condition people are afraid to live there, but send their best effects to England and come away themselves if they can afford to live there. Thus the place runs more and more to ruin and will fall into the enemy's hands if better care be not taken. And if once an enemy gains possession, the Island will in my opinion never be recovered, for they will doubtless make better use of the situation. If the King send men, as aforesaid, and allow some thousands of pounds for the fortifications of Jamaica and everybody there would lend a helping hand with their slaves to build them, I think that everything could be done. But this will take time, and as the enemy is said to be fitting out an expedition to attack the Island, and it will take too much time to fit out a fleet to cope with them at sea, I would send out several fire-ships to lie at the entrance of Port Royal so as to lay some of the enemy's fleet on board as they enter the channel by the fort, for the channel is narrow—not, I think, above a musket-shot broad—and if some of the enemy's ships are set on fire, the confusion would probably overthrow the whole. I think this the best expedient for immediate defence, for, as I have said, without Port Royal the enemy will hardly be able to conquer the Island. They may pass it and get down to Old Harbour and Withywood, but it will take them a long time to master the whole Island, for while Port Royal is safe Liguanea may hold out for a long while or until succoured from hence. *Copy. Unsigned, but evidently the work of Captain Lilly.* 11 *closely written pages. Endorsed*, Recd. 11 Nov., 1696. [*Board of Trade.* Jamaica, 8. *No.* 28.]

Nov. 11. **385.** Journal of Council of Trade and Plantations. Mr. Brooke and Mr. Nicolls attending were asked as to the misbehaviour of Captain Evans, and answered that they knew of no ground of complaint against him. Captain Cales spoke to the same effect, and added that he had heard nothing of intimidation by Governor Fletcher at the elections in New York. The representation to the King respecting the Leeward Islands signed. The Jamaica merchants attended, bringing with them Captain Lilly, who presented an account of the late expedition to Hispaniola and proposals for the defence of Jamaica. The merchants pressed for six men of war, 1,000 soldiers and two fire-ships; and the Board having heard them drew up their representation in the business. An Order in Council respecting an appeal in the matter of the ship Experiment was received.

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Nov. 12. Mr. Randolph reported that the question of Attorneys-General in the Colonies had been referred back to the Board. The representation respecting Jamaica was signed.

Nov. 13. Mr. Jeremiah Bass attended on behalf of the proprietors of Colonies in America and desired more time, whereupon he was directed to be ready with his answer on Monday next. Further evidence as to Captain Evans's alleged misconduct was heard. The New York Agents presented a memorial as to the defence of New York (*see No.* 394) and were referred to the Board of Ordnance. [*Board of Trade.* Journal, 9. *pp.* 223-231.]

Nov. 12. Kensington. **386.** Order of the King in Council. That the Council of Trade signify to Governor Codrington the King's approval of their representation against the settlement of St. Christophers and the change of the four and a half *per cent.* duty on that Island. *Signed*, Rich. Colinge. ½ *p. Endorsed*, Read 16 Nov., 1696. [*Board of Trade.* Leeward Islands, 5. *No.* 17; *and* 45. *p.* 20.]

Nov. 12. Kensington. **387.** Order of the King in Council. That advice-boats be sent, with warning of the French preparations against the West Indies, to Jamaica and Barbados, one of which shall also call at St. Domingo. *Signed*, Rich. Colinge. ½ *p. Endorsed*, Read 16 Nov., 1696. [*Board of Trade.* Jamaica, 8. *No.* 29; *and* 56. *p.* 36.]

Nov. 12. **388.** Commission of the Proprietors of the Bahama Islands to Nicholas Webb to be Governor of the said Islands. [*Board of Trade.* Proprieties, 25. *pp.* 21-23.]

Nov. 12. **389.** Instructions of the Proprietors of the Bahamas to Nicholas Webb. 100 acres of land are to be set out for the Governor, and 50 acres in every parish for support of a minister. Settlers may receive up to 25 acres apiece with as much for their wives and for each child and servant over sixteen years old, at a yearly rent of one penny per acre. No man's land is to have greater frontage to the sea than one fourth of its depth. Licenses may be granted for cutting wood for export, for searching for ambergris and for fishing up wrecks. [*Board of Trade.* Proprieties, 25. *pp.* 23-26.]

Nov. 12. **390.** Further instructions of the Proprietors of the Bahamas to Nicholas Webb. These relate to the rules of government. The Assembly is to consist of 24 members elected by the freeholders, who will elect six members to sit with the six deputies of the Proprietors as a Council. The Assembly is to be summoned at least in November of every second year. [*Board of Trade.* Proprieties, 25. *pp.* 26-28.]

Nov. 12. Whitehall. **391.** Council of Trade and Plantations to the King. We have received letters from Sir William Beeston of 4 and 5 July, and have received information of a fleet now fitting out in France which seems likely to be directed against Jamaica. We recommend the despatch of advice-boats to warn all the Governors of the English Islands and the Governor of St. Domingo, that two fire-ships be sent at once to Jamaica with materials to fit out five or six more,

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and that a skilful engineer be also sent thither. *Signed*, J. Bridgewater, Ph. Meadows, Wm. Blathwayt, Jno. Pollexfen, Jno. Locke. [*Board of Trade.* Jamaica, 56. *pp.* 34-35.]

Nov. 12. Kensington. **392.** Order of the King in Council. Referring a petition from the merchants, traders and others of Bideford to the Council of Trade and Plantations for report. *Signed*, Rich. Colinge. ½ *p.* *Annexed*,

392. 1. Petition of the Merchants of Bideford to the King. We congratulate your Majesty's safe arrival and rejoice in your glorious return; but even our sense of so great a blessing cannot make us forget our losses, and we beg to lay before you the deplorable condition of Newfoundland and our losses there through the insults of the French, who, on the 11th of September last, invaded the country with eleven ships and several hundred men, took twenty-nine ships, and by a general devastation ruined what they could not carry off. The poor inhabitants who yet remain there are forced to swear fealty to the French King. The rest they sent home in ships that they gave them, of whom some hundreds are arrived and the rest are daily expected. We beg you to consider this heavy loss to the nation and especially to this port, which will be utterly ruined unless Newfoundland be recovered and a free fishery be secured. *Signed*, Jno. Langford, Mayor, *and by twenty others. Large sheet. The whole endorsed*, Recd. and read 16 Nov., 1696. [*Board of Trade.* Newfoundland, 3. *Nos.* 2, 2 I.; *and* 25. *pp.* 29-30.]

Nov. 12. **393.** Order of the King in Council. Referring the petition of the merchants and others of Barnstaple to the Council of Trade and Plantations for report. *Signed*, Rich. Colinge. ½ *p.* *Annexed*,

393. 1. Petition of the Merchants, Traders and Seamen of the Corporation of Barnstaple to the King. We congratulate your Majesty on your safe return, but beg to lay before you our losses through the late destruction made by the French in Newfoundland. Not only have we suffered immediate loss, but if the enemy should settle and fortify themselves in the places that they have taken, we shall be dispossessed of our fishing trade in Newfoundland, which by English labour and industry has long been of mighty advantage to the nation. Great numbers of seamen have thereby been trained every year, large quantities of bullion brought into the country and the customs much advanced by the importation of foreign commodities. We beg that a sufficient number of ships and land-forces may be sent to Newfoundland in time to prevent the loss of next fishing season, to regain the places lately captured from us and to resettle the English in a secure trade there. *Thirty-three signatures. Large sheet. The whole endorsed*, Recd. and read 16 Nov., 1696. [*Board of Trade.* Newfoundland, 3. *Nos.* 3, 3 I.; *and* 25, *pp.* 31-33.]

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Nov. 13. **394.** Memorial of the Agents for New York to Lords of Trade and Plantations. We have already laid before you the condition of New York and offered an opinion as to the methods to be taken for the security of it and of the other provinces. We now submit the following particulars as very necessary for the good and safety of the Colony. (1) That the fort at New York be strengthened and enlarged, being at present only a defence against Indians, and that an engineer be sent over for the purpose and for the other fortifications mentioned in our former memorial. (2) That the pay of the companies at New York be made sterling money. New York money is worth a third less than English; twopence sterling a day is stopped in England for clothing, and as it costs sixpence a day New York money to subsist the men they are every day brought into debt. The excessive price of clothes in those parts makes the hardship not less to officers than to private men. The Assembly has found it necessary to grant the men an additional fourpence a day till next May. (3) That an annual supply of stores of war be sent out, and that the Governor be permitted to allow the Indians powder from the King's stores during the war. (4) Grenade-shells are wanted for two small mortars in the fort at New York, also (5) Six large Union flags for the King's forts. We beg that these things may be supplied and that New York, the barrier of all the Colonies in America, may receive relief and assistance. *Signed*, Chid. Brooke, W. Nicolls. 1½ *pp.* *Endorsed*, Recd. and read, 13 Nov. 1696. [*Board of Trade.* New York, 6. *No.* 74.]

Nov. 16. Whitehall. **395.** J. Ellis to William Popple. Forwarding the memorial of the Elector of Brandenburgh's envoy, M. Danckelman, for the opinion of the Council of Trade (*see No.* 382). ½ *p.* *Endorsed*, Recd. 16. Nov. Considered 4 Dec., 1696. [*Board of Trade.* Leeward Islands, 5. *No.* 18; *and* 45. *p.* 24.]

Nov. 16. Custom House. **396.** Commissioners of Customs to the Lords of the Treasury. Forwarding a memorial from Edward Randolph concerning breaches of the Acts of Trade and Navigation in the Colonies. *Signed*, Robt. Southwell, C. Godolphin, Sam. Clarke, Ben. Overton. ½ *p.* *Annexed*,

396. 1. Edward Randolph to the Commissioners of Customs. 10 November, 1696. On the 17th of July you represented to the Treasury that, either by the remissness or connivance of the Governors, the Acts of Trade and Navigation are not observed in the Proprietary Colonies, and suggested that the Governors should be qualified men, approved by the King and sworn to observe the Acts aforesaid. Notwithstanding this the Proprietors omit to nominate fit persons to be approved by the King before their entrance into the Government. Hence it follows that while the principals omit their obligations at home, their deputies cannot be expected to do their duty in the Colonies, so that although (under the Act for regulating the Plantation Trade) the officers of Customs and of the Admiralty Courts and the Commissions under the Great Seal for administering the oaths to the Governors are appointed and

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prepared ready for despatch, yet the Governors and other officers in the Proprietary Colonies are continued in their places and no care is taken to appoint others in their stead, though they maintain and support illegal traders as much as ever. It cannot therefore be expected that the frauds and other abuses complained of in the Colonies can be prevented unless duly qualified men, of good estates and reputation, be approved by the King as Governors, according to the Act, which will otherwise be to no purpose. Nor will it be worth the expense to send over officers and maintain them to put the Acts of Trade into execution so long as the Governors take upon them to dispense with open breaches of the same and to throw open their ports to illegal traders, while others are barred by strict oaths and penalties. The result must be to drain the population from the King's to the proprietary Colonies, where the people enjoy the benefit of a general trade by pirates and the Scottish trade. *Here follows practically a transcript of the paper already submitted on* 17 *August* (*No.* 149) *with respect to the Bahamas and North and South Carolina. The account of Pennsylvania and of other Colonies is however somewhat altered, as follows*:

Pennsylvania. William Markham is Governor. Samuel Carpenter and John Goodson were associated with him but refused to act. The Acts of Trade are not observed. A plain discovery has been made of nine vessels laden with tobacco, which from 1690 to 1695 have gone directly to Scotland. Moreover, Gustavus Hamilton, the chief factor for the Scotch merchants, last year carried out of the Delaware three hundred hogsheads of tobacco without clearing. Other vessels from the same place also went to Scotland with tobacco. The brigantine known by two names, under charge of William Righton and Maurice Trent, imported a number of Scotch goods into Pennsylvania in 1695, but was admitted to entry by the Collector in Pennsylvania. She was seized together with a Norwegian ship in 1695, but the trial was put off pending orders from England. The Governor entertains several pirates who carry on an illicit trade with Curaçoa and other places. By a letter of Mr. Markham to me it seems that he had but a small maintenance, and desired me to make him Collector of Customs. You will judge that a Governor under such necessities will easily be brought to connive at unlawful things. The charge of maintaining Customs-Officers and a cruising vessel in that province will amount to about £2,000 a year, but the bringing of tobacco overland to be shipped in Delaware Bay will be continued unless the Government be reformed as laid down in the Act. Pennsylvania lies between Maryland and New York, a most commodious centre for illegal trade.

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East and West Jersey. Mr. Andrew Hamilton, a Scotchman, is Governor, and a great favourer of the Scotch traders. It was he who took the brigantine seized by Captain Meech out of his hands. The Secretary and Attorney-General went to the Court to defend the ship against the King.

Connecticut. Colonel Robert Treat is Governor, elected according to Charter. He permitted a Dutch vessel to enter Newhaven, under pretence of wanting wood and water, where she landed great part of her loading, which was carried to New York. She then took horses aboard and sailed for Barbados with the remainder of her goods. A brigantine with a cargo of Scotch goods was seized by the Collector in New London in 1691, but he thought it better to come to terms with Gustavus Hamilton than to risk a trial in that Colony.

Rhode Island. Caleb Carr was late Governor. This is a free port to pirates and illegal traders from all places. In 1694 a pirate from the Red Sea came thither with £100,000 in gold and silver. He shared £12,000 for himself and sloop. The people are enriched by them. The place should be put under a regular Government, the present pretenders to govern being either Quakers or Anabaptists.

New Hampshire. Mr. William Partridge is nominated Governor by Mr. Samuel Allen and approved by the King.

Massachusetts. Though the King has the appointing of the Governor, yet illegal trade is carried on as much as ever to Scotland, Holland, France, etc., for want of a Governor to suppress this trade and support the Customs-Officers in the execution of their duties. Mr. William Stoughton is Lieutenant-Governor, a good scholar but not bred up to military discipline. The country lies always open to the attack of French and Indians. So far they have made no law for maintenance of the Governor, as is done in all other of the King's Governments, and there was no such law under their former Government, on purpose to discourage men of honour and ability from living among them. But whatever it costs, that country and its trade should be taken care of.

It cannot be imagined from the foregoing that the Proprietors' Governors are fit persons to be entrusted with the execution of the powers committed to them by the new Act for the Plantation Trade; so if the Proprietors will not conform to the Act I would advise that the King should oblige them to accept such regulations in the matter of trade as he thinks fit. This will not invade the just rights of the Proprietors nor hinder them from employing their factors and Agents to dispose of their estates and receive their quit-rents. Lord

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Baltimore, Mr. Samuel Allen, and the inhabitants of Massachusetts have their entire rights and properties secured to them. They have their factors and Agents, but the Governors are appointed by the King. *Signed*, Ed. Randolph. 3½ *closely written pages. The whole endorsed*, Recd. 2nd Dec., Read 4th. [*America and W. I.* 601. *Nos.* 34, 341., *and Board of Trade.* Proprieties, 25. *pp.* 5-13.]

Nov. 16. **397**. Journal of Council of Trade and Plantations. The Order in Council of 5 November on the petition of the Agents and Proprietors of the Colonies in America was read (*see No.* 365), when the said gentlemen asked for a copy of the Board's representation on the question. The Board answered that the late Act for regulating trade had been grounded on miscarriage in the Colonies, and that it could not be thought unreasonable for the King to appoint officers to enforce the Acts, but that the legal question had been referred to the Attorney-General, who was instructed to report thereon on Friday next. Order in Council of 12th inst. as to the Leeward Islands read, and instructions given to prepare a letter accordingly. Two more orders of the same date as to Newfoundland were also read, and another of the same date as to the West Indian Colonies, on which letters were ordered to be prepared. Order for a copy of the Board's representation on Sir H. Ashurst's instructions to be sent to him. Several papers as to New Tortolen were read. The New York Agents reporting that the Board of Ordnance could not supply stores without a further order, the Board agreed upon a representation on the subject.

Nov. 17. The laws of Massachusetts were considered.

Nov. 18. Order for a representation to be drafted as to the laws of Massachussetts, and for the Clerk to call on the Clerks of Council from time to time for the determination of the Council on all laws of the Colonies. A representation as to New York was signed. The petitions from Bideford and Barnstaple were read, and the Secretary was directed to ascertain from the Mayors what measures they would recommend. [*Board of Trade.* Journal, 9. *pp.* 231-238.]

Nov. 17. **398**. Minutes of Council of Barbados. H.M.S. Newcastle having brought in a prize, orders were given for the guarding of the 69 prisoners, and for reimbursing of Captain Reeves for the expense of feeding them for five days. The bills as to trade and elections returned to the Council with amendments. Order as to the confinement of certain of the French prisoners. The Committee brought up its report on the bill concerning trade, and a conference was arranged with the Assembly on the bill. The Council recommended to the Assembly that care be taken of the King's sick soldiers, that a law or some means be found to give security to those persons who advance money for the King's ships, and that a present be made to Captain Reeves of H.M.S. Newcastle for his service to the country.

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Nov. 18. Orders for the Newcastle to cruise to windward for twelve days. The Assembly brought up a vote of £200 to Captain Reeves, and said that they were thinking of settling a reward on him for every privateer taken, and would join in any method for securing those who lent money for the King's ships. They also desired that the French prisoners might be sent to Europe, and brought in a bill to preserve freedom of elections. Order for payment of £150 for the use of the Leeward forts.

Nov. 19. Order as to a parcel of cacao, alleged to be prize-goods. The Council considered amendments to the bill concerning trade. [*Board of Trade.* Barbados, 65. *pp.* 162-166.]

Nov. 17. Bermuda. **399.** Governor Goddard to Council of Trade and Plantations. *He begins by transcribing his letter of* 30 *July and continues as follows.* I have received yours of 17 February and 15 April, with the Act for regulating the Plantation Trade, as to which your directions shall be punctually obeyed. On page 498 of the Act it is enacted that all Governors shall take an oath for its due performance, but there is no person here qualified to administer to me such an oath. Unless I hear from you I shall draw up an oath as near as may be to the intent of the Act and take it publicly before the Council. I have also received yours of 20 April, giving warning of French preparations, and I have taken all the care that I can for defence of the Islands. I enclose an exact account as to the public lands and slaves, made after careful enquiry of the Council and Assembly. The form of an Association to be entered into by the inhabitants I have received from Mr. Blathwayt and returned to him duly signed. No one refused to sign it except the Quakers, who, because they affect singularity, would only sign it in a form of their own, which is annexed to the other. I enclose a copy of my letter as to the difference between Mr. Richier and myself. *Signed,* J. Goddard. 2½ *pp. Endorsed,* Recd. 13th, Read 15 Dec., 1697, Answered 2 July, 1697. *Enclosed,*

399. 1. Account of public lands and slaves in Bermuda, showing the shares allotted to the different officers of Government and those occupied and rented by others. The acreage is not given, but the rents amount to £7 11*s. per annum.* The slaves belonging to the Governor number one man, seven women, of whom three are seventy years of age and upward, and four children. 1½ *pp.* [*Board of Trade.* Bermuda, 3. *Nos.* 2, 21.; *and* 29. *pp.* 14-20.]

Nov. 18. **400.** Memorial of the Agents for Barbados to the Council of Trade and Plantations. Notwithstanding the representations of the Council and Assembly as to the decay of the trade of Barbados, we think it our duty to lay before you the following facts. Barbados by its strength and situation is the key of all the English sugar-islands. The magazine is so empty and the fortifications so ill-provided that there is immediate want of the supplies requested by Governor Russell. Two hundred and fifty recruits are wanted for Russell's Regiment, and though they will be a great charge to the Island, as the King's pay is insufficient, yet the condition of the

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Island makes them absolutely necessary. An experienced master-gunner is wanted, to instruct the men in the forts and batteries. The privateers fitted out by the Island have been so much discouraged by the obligation to pay the King's tenths and the Governor's fifteenths of all their prizes, that they declined that service, which had been a great protection to the provision-ships from North America; whereupon we beg that they may be exempted from these payments. The late heavy impositions on sugars were so destructive that many great plantations have lain waste ever since, while others have been turned to the raising of provisions, which for the most part used to be supplied from England. We hope therefore that the produce of the Island may not be burdened by a new duty. The number of negroes on the Island is reduced by little less than one half, whereby the produce is very much lessened. This is concluded to be the result of the African Company's monopoly. We hope you will agree with us that nothing can contribute more to the prosperity of the sugar-colonies than free trade to Africa. The Island's trade has suffered much from want of sufficient convoys and of despatch of the same at proper seasons, and from the impressment of the crews of merchant-ships. We beg that yearly convoys may be appointed for two fleets, one to sail from hence on the 20th of October and return on the 20th of April, the other to sail from hence on the 20th of January and to return not later than the 20th of July following; the convoys to consist of at least two men-of-war, one of them a fourth-rate, and good sailers. For want of these nearly forty provision-ships have been taken almost within sight of the King's ships in less than twelve months. Many ships have foundered and others became an easy prey to the enemy from want of sufficient strength, owing to the impressment of their men. We beg that orders may be given for supplying the guard-ships by less destructive methods, by sending out supernumerary seamen in the outward-bound men-of-war or in the merchant-ships, which we believe would transport them gratis. As ships pass much to and fro between North America and Barbados, and between Ireland and Barbados in the intervals between the convoys, we beg that these may be allowed to sail, as formerly, at the Governor's discretion. *Signed*, Edw. Littleton, Wm. Bridges, Fran. Eyles. 2½ *pp.* *Endorsed*, Recd. 20th, read 25th Nov., 1696. [*Board of Trade.* Barbados, 7. *No.* 20; *and* (*abstract only*) 44A. *p.* 35.]

Nov. 18. **401.** Council of Trade and Plantations to the King. The Agents have delivered us another memorial on which we recommend that one hundred shells should be sent out for each of the two mortars in the fort at New York, that an engineer be sent out to encourage the people to contribute to the repair and improvement of the fortifications, and that the Governor have liberty in the time of war to distribute powder and bullets from the King's stores to the friendly Indians. Considering how ill the regulation of the quotas has been complied with by several of the provinces, we think that a letter should be written to the Governors ordering them to make good their respective proportions.—*Signed*, J. Bridgewater, Tankerville, Ph. Meadows, Wm. Blathwayt, John Pollexfen, Abr. Hill. [*Board of Trade.* New York, 52. *pp.* 38-39.]

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Nov. 18. **402.** Memorandum of the Lords of the Admiralty. With reference to Order in Council of the 12th inst. (*No.* 387) we beg to report as follows. (1) Before receipt of the Order in Council we had ordered the Navy Board to hire advice-boats, and (2) the preparation of two fire-ships for Jamaica, which will be ready to sail with next convoy. (3) But as to sending six frigates, as the merchants desire, we think that if the French fleet be designed to the West Indies, as is reported, such a force will be insufficient to prevent their designs, much less if they proceed two at a time, as suggested, and we also doubt whether the said ships can be got ready in time. *Signed*, Russell, H. Priestman, Ro. Rich, G. Rooke, J. Houblon, J. Kendall. *Copy.* 1½ *pp. Endorsed*, Recd. and read 20 Nov., 1696. [*Board of Trade.* Jamaica, 8. *No.* 30; *and* 56. *pp.* 36-37.]

Nov. 18. **403.** Minutes of General Assembly of Massachusetts. The Representatives being insufficient to make a house, the Assembly was adjourned.

Nov. 19. The Representatives attending, the Lieutenant-Governor acquainted them of the issue of the expedition under Lieutenant Colonel Hathorne to St. John's River, which had made little impression on the enemy beyond the recovery of some cannon and warlike stores lately sent over from France. Bill for equal distribution of insolvent estates, read and debated.

Nov. 20. This same bill was ordered to be engrossed and sent to the Representatives, who returned it the same day with a concurrence therewith. A Bill to make lands liable to payment of debts was also passed to be engrossed, and was agreed to by the Representatives. Proposed to proceed with the rejected Act for punishment of capital offences to-morrow.

Nov. 21. The Act last named was carefully read and debated and deferred for further consideration. Order for respite of a debt due to Government by Captain Simon Willard, on account of arrears of rates, for two years. [*Board of Trade.* New England, 48. *pp.* 89-91.]

Nov. 19. Kensington. **404.** Order of the King in Council. That an engineer, two hundred mortar-shells and six union flags be despatched to New York. *Signed*, Rich. Colinge. ½ *p. Endorsed*, Recd. and Read 23 Nov., 1696. [*Board of Trade.* New York, 6. *No.* 75; *and* 52. *p.* 40.]

Nov. 19. Kensington. **405.** Order of the King in Council. A report of the Admiralty was received, saying that all Governors might have commissions of Admiralty if they applied for them, but it appearing by a list presented at the same time that there were several Colonies where the Governors had no such commissions, the matter was referred to the Council of Trade for report. *Signed*, Rich. Colinge. 1 *p. Endorsed*, Recd, Read 20 Nov., 1696. *Annexed*,

405. I. Copy of an extract from a presentment of the Commissioners of Customs. (*See No.* 107 I.) 1¼ *pp.*

405. II. List of the Governors holding commissions of Vice-Admiralty, viz., the Governors of Massachusetts, Virginia,

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Bermuda, New York, New Hampshire, Jamaica, Maryland, Barbados and the Leeward Islands. ½ *p.* [*Board of Trade.* Plantations General 4. *Nos.* 16, 16I., II.; *and* 34. *pp.* 82-84.

Nov. 19. Whitehall. **406.** William Popple to the Mayors of Bideford and Barnstaple. The Council of Trade have received and considered your petitions (*see Nos.* 392, 393) and desire to know more particularly what you have further to propose for the better recovery and security of the Newfoundland trade. For despatch of business it will be convenient if you appoint some person or persons to attend the Council in your behalf. [*Board of Trade.* Newfoundland, 25. *p.* 33.]

Nov. 20. **407.** Journal of Council of Trade and Plantations. Mr. Nelson attending handed in an extract from a letter giving an account of the capture of Pemaquid, but said that he had not yet had time to enquire as to the French Governor of Hudson's Bay. Ordered that a representation be drawn up as to New England.

Mr. Tucker's letter of this day's date was read (*see next abstract*) and order given for the despatch of letters. An Order in Council of 19th inst. as to Admiralty Courts was read and referred to the Attorney-General. [*Board of Trade.* Journal, 9. *pp.* 238-242.]

Nov. 20. Whitehall. **408.** Mr. Tucker to William Popple. Forwarding by order of Secretary Trumbull a letter from the Lords of the Admiralty to be laid before the Council of Trade. *Signed,* J. Tucker. ½ *p. Endorsed,* Recd., Read 20 Nov., 1696. *Annexed,*

408. I. Lords of the Admiralty to Secretary Trumbull. Pursuant to the Royal command we have hired two advice-boats, one at Plymouth and one in the Thames. They will be ready to proceed in a few days, and we give you notice thereof that their despatches may be in readiness. *Signed,* Russell, H. Priestman, G. Rooke, Jno. Houblon. *Copy.* ½ *p.* [*Board of Trade.* Plantations General, 4. *Nos.* 17, 17I.; *and* 34. *p.* 85.]

Nov. 21. **409.** William Popple to the Attorney-General. Forwarding an Order in Council and a presentment from the Commissioners of Customs, for his opinion whether the King may establish Admiralty Courts and appoint Attorneys General and other Officers for the same in the Proprietary Colonies. [*Board of Trade.* Plantations General, 34. *p.* 86.]

Nov. 21. Plymouth. **410.** Henry Lowe to John Povey. I have this day arrived at Plymouth from Jamaica in H.M.S. Hampshire, bringing with me the state of the Island to lay before their Lordships. I hope to wait on you as soon as the coach will permit. *Signed,* Henry Lowe. ½ *p. Endorsed,* Recd. and read, 24 Nov., 1696. [*Board of Trade.* Jamaica, 8. *No.* 31.]

Nov. 21. **411.** Minutes of Council of Massachusetts. Order for securing for the King's service all gunpowder in the hands of merchants and others for sale. Order for £10 to be allowed to

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Colonel Jonathan Tyng for the expenses of his inspection of the garrisons within his regiment. [*Board of Trade.* New England, 49. *pp.* 57-58.]

Nov. 23. New York. **412.** Council of New York to Council of Trade and Plantations. The Governor went to Albany on the 10th for the winter, on the alarm of a meditated attack on Albany by the French. Many of the inhabitants threatened to move unless there were a better force to keep it. The Indians accuse the neighbouring Colonies of sloth and negligence. The Assembly, in order to recruit the companies on the frontier and be saved from the burden of detachments, have given £6 a man levy money for six months' service, besides the king's pay, and a groat a day. There is no help to be expected from our neighbours. They will do nothing. The winter sets in apace, which is the reason why the Governor gave us orders to seal up his packet, lest the river should be closed. We hope that the King will consider our hard case and give effectual orders to the other Colonies to bear their share of the duty and expense of the war. We doubt not that the Governor's presence at Albany will allay the people's fears and doubts, encourage the Indians, and secure the garrison. He cannot always remain there. This city may be surprised from the sea in the summer, and it is the seat of government. If the people of Albany begin to move they will be apt to follow one another, which would discourage our Indians, who are much courted by the French. *Signed*, N. Bayard, S. V. Cortlandt, Frederyck Flypse, John Laurence, G. Minivelle. 2 *pp.* *Endorsed*, Recd. and read 5 April, 1697. Duplicate.

Original of the foregoing. *Endorsed*, Recd. 23 June, Read 7 July, 1697. [*Board of Trade.* New York, 6. *Nos.* 76, 77; *and* 52. *pp.* 91-93 *and pp.* 162, 163.]

Nov. 23. Whitehall. **413.** Council of Trade and Plantations to Governor Sir William Beeston. This comes by an express to warn you that a fleet is fitting out in France, which is thought to be designed against the West Indies. You will be vigilant and make every preparation for defence. We have received your letters of 15 and 19 June, and of 4 and 5 July, and are preparing representations for the assistance and better security of the Island. To check the decrease of population we have given the North American Colonies orders to pass effectual laws against the harbouring of deserters and fugitives. The frigates have been appointed to sail with the Jamaica fleet on the 31st of December, and the King has ordered that all men-of-war for the service of the Colonies shall be under the direction of the Governors while they continue there. Those now sent for Jamaica will remain there till next year, when they will be relieved by others, and will come home with the convoy, and so every year for the future. Two months are given to the merchant-ships to unload and reload, beyond which you and your Council may grant them fifteen days and no more. *Signed*, J. Bridgewater, Tankerville, Ph. Meadows, Wm. Blathwayt, Jno. Pollexfen, Abr. Hill. [*Board of Trade.* Jamaica, 56. *pp.* 38-40.]

Nov. 28. **414.** Council of Trade and Plantations to President and Council of Barbados. The King having entrusted the care of Trade

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and of the Plantations to us, we must remind you of former orders to send a full account of all affairs with returns of the accounts, and copies of all Acts passed. You will send us by first opportunity a list of persons fitted to be Councillors. A fleet is now fitting out in France for attack on the West Indies. The King has sent two advice boats with the intelligence, which you will forward to the Leeward Islands or to Jamaica. Your letter of 11 August has been received, and the Acts lately received are under consideration. We are preparing representations to the King for your security and advantage. Three frigates will be ready to sail from the Downs punctually on the 31st of December to convoy the merchant fleet to Barbados. Other convoys are appointed for the fleets to Jamaica and the Leeward Islands, all of which will keep company as far as their way lies together. Those for Barbados will remain to guard the Island till next year, when they will be relieved by others. The ships now there will return with the merchant fleet that sails on the 31st of December, and two months will be allowed for loading and unloading the ships, which may be prolonged at your discretion by twenty days but no longer. Directions have been given to North America to make effectual laws against the harbouring of deserters and fugitives, which we hope may be of some advantage to Barbados. *Signed*, J. Bridgewater, Tankerville, Ph. Meadows, Wm. Blathwayt, John Pollexfen, Abr. Hill. [*Board of Trade.* Barbados, 44A. *pp.* 31-35.]

Nov. 23. **415.** Council of Trade and Plantations to Governor Codrington. The King has entrusted us with the charge of the Plantations. You will send us the returns and information that have been already ordered, and in particular a list of your Councils and of persons suitable to fill vacancies therein. Your letters of 12 February, 5 May, and 2 September have been received, together with Minutes of Council and Acts. Our first duty is to warn you that a fleet is now fitting out in France, and gives just ground of suspicion that it is designed against the West Indies. You will make all preparations for defence. Two frigates will be in the Downs ready to sail on the 31st of December punctually to convoy the fleet to the Leeward Islands, keeping company with the Barbados and Jamaica fleets as long as their course is the same. The ships of war are to be under the orders of the Governors, and the two now sailing will remain under your orders for the next year, when they will be relieved by others, and so on annually. The ships of war now with you will convoy the homeward-bound fleet. The merchant-ships now going are to have two months to unload and reload, to which time you may add at your discretion fifteen days and no more. It is the King's pleasure that the settlement of St. Christophers be for the present discouraged, as there is no certainty whether the whole Island may be kept by England, and that no alteration be made in the four and a half per cent. duty on that Island. We have given orders for laws against harbouring deserters to be passed in the Northern Colonies, which we hope may be of service to you. *Signed*, J. Bridgewater, Tankerville, Ph. Meadows, Wm. Blathwayt, Jno. Pollexfen, Abr. Hill. [*Board of Trade.* Leeward Islands, 45. *pp.* 20-24.]

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Nov. 23. **416.** Memorial of Sir Robert Robinson to the King. (1) The trade of Newfoundland, the hereditary right of your royal predecessors, now labours under the insults of the French, who within memory paid tribute to the Queen of England for licence to fish there. Placentia Bay is a place of no small importance, and is worth the expense of some time and charge to recover it, while its vast trade and the profits to be derived from it would under wise management in due time much enrich your royal coffers and prove an excellent seminary for seamen. (2) Canada is a place of very great importance, and the reduction of it would be a matter of no great difficulty, there being but two forts for the defence of the French, and the artillery in them but ill-mounted. But its situation at the back of Newfoundland enables the French to gall the English at their pleasure, and at this day the English Colonies lie under great and fatal apprehensions of so ill neighbours, who with the assistance of the natives make terrible incursions upon them. Besides, as it is America, I conceive that there may be silver veins in that part of the country as in Peru and Mexico, which would enrich Your Majesty for ever in your own dominions. I think this can be done with a little charge and trouble; and let the success be left to Almighty God. It would be an extraordinary benefit to the English, and it would be to your glory for ever, besides securing New England, New York, Newfoundland, &c. In Jamaica and Newfoundland, and lately in Hudson's Bay, the French have committed bloody and tragical hostilities, which may justly excite your revenge. Now a squadron of good cruising ships would prevent this and many other daily depredations and piracies practised by the French, and would reduce these places to your obedience. Last summer two pirates went to the entrance to the Red Sea and there plundered the junks from the Indies of a vast quantity of goods and treasure, designed for Alexandria, Smyrna, Constantinople, &c., so that they shared £1,400 to each private seaman. They are now going again and will be back to the Island of Ascension in May next, and so to Carolina, where they fitted out. This timely notice may be a means of securing them next summer and putting a stop to their further piracies, which if not prevented may be of fatal consequence to the East India and Turkey Companies, whose effects abroad may perhaps be seized and confiscated to make good the damage done by these pirates. 1½ *pp.* *Endorsed*, Recd. 23 Nov., 1696. [*Board of Trade.* Newfoundland, 3. *No.* 4.]

Nov. 23. **417.** Memorial of the case of William Holman, Commander of the galley William and Mary. Being in Ferryland Harbour, Newfoundland, in 1694, and having intelligence that the French were coming with several men-of-war to destroy that harbour and the ships therein (as they had done the year before) Holman so animated and encouraged the people, who were in great consternation, that he prevailed on them not to leave the harbour as they were all going to do. He then built four several forts and planted thirty guns therein for defence of the harbour and of the ships therein, which were nine in number. On the 1st of August two French men-of-war entered the harbour, when Holman engaged them so warmly

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from the forts that in one day he compelled them to withdraw, and so saved the harbour and ships. For this service the Admiralty gave him a medal and chain, but as they had not power to make good his expenses, amounting to £495, he petitioned to the Lords Justices, who referred the matter to the Committee of Trade. The Committee were of opinion that his expenses ought to be made good, but said that they could not report for the sum until some proof was made thereof; and before Holman came home to make this proof the Committee was dissolved and the papers transferred to the Council of Trade, before whom Holman is ready to prove his expenses. 1 *p. Endorsed*, Recd. and read 23 Nov., 1696. [*Board of Trade.* Newfoundland, 3. *No.* 5.]

Nov. 23. **418.** Journal of Council of Trade and Plantations. The repeal of two laws of Massachusetts was received from the Clerks of Council and delivered to Sir Henry Ashurst. Several letters were signed. Captain Holman's memorial was read (*see preceding abstract*). An order in Council of 19th inst. as to New York was received, and notice of its contents given to the New York Agents.

Nov. 24. Sir William Beeston's letters of 22 and 23 July and 7 August, and Mr. Henry Lowe's letter of 21 November were read.

Nov. 25. Captain Holman presented a petition relating to his charges in Newfoundland in 1694, but withdrew it on learning that the Board could not take notice of it without special reference from the King. Memorial of the Agents for Barbados of 18th inst. read (*see No.* 400). Order for the Secretary to ask for an answer to a late enquiry from the Ordnance Office. Instructions were given for representations as to the state of Barbados and Bermuda. [*Board of Trade.* Journal, 9. *pp.* 238-250.]

Nov. 23. **419.** Minutes of General Assembly of Massachusetts. Acts as to capital offences considered. Agreed that the offences be drawn into separate Acts.

Nov. 24. Bills against conjuration and witchcraft, and against the murder of bastards, read, voted and sent down to the Representatives.

Nov. 26. Bill for equal distribution of insolvent estates again read, and enacted. Bill for Assize of bread read a first time. £40 voted to Jonathan Balston for materials supplied to the ship Mary, impressed for the King's service, and lost.

Nov. 27. Bill for Assize of bread read again. Bill for incorporation of Harvard College read and debated. Private bill as to John Moore's estate read a first time. Voted in concurrence with the Representatives that a packet-boat be hired and despatched to England to lay the condition of the province before the King. A proposal, that a suitable person be sent with her to solicit the affairs of the Province, was sent down to the Representatives for concurrence. The engrossment of the Bill to make lands liable to payment of debts read and left to further reading. [*Board of Trade.* New England, 48. *pp.* 92-95.]

Nov. 24. Whitehall. **420.** William Popple to Captain St. Lo, Commissioner of the Navy at Plymouth. Forwarding two packets for Barbados and Jamaica, with orders that in case of danger of capture on passage, they are to be sunk. [*Board of Trade.* Plantations General, 34. *p.* 86.

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421. William Popple to Messrs. Heathcote and Gracedieu. Forwarding packets for Barbados and Jamaica to be despatched in the advice-boat from the Thames, with the same instructions as in the preceding letter. [*Board of Trade.* Plantations General, 34. *p.* 87.]

Nov. 24. Plymouth.

422. Lieutenant Roger Wright to the Duke of Bolton. I arrived in the harbour in H.M.S. Surloin from Piscadua [Piscattaway?] in New England in thirty-nine days, with the mast-ships and merchantmen under convoy. On the 4th of July H.M. Ships Surloin, Captain Emes, and Newport, Captain Paxton, while cruising near Boston, made four ships and bore down to engage them. Emes with thirty-six guns engaged a Frenchman of forty-eight with three hundred and fifty seamen and soldiers on board, and Paxton with twenty-eight guns engaged a forty-gun ship with 250 seamen and soldiers. Paxton behaved himself very bravely, having his main-topmast shot down and receiving several shots between wind and water, so that she had five feet of water in the hold. In all probability she would have sunk, but Captain Paxton, seeing no hopes of victory, obliged himself to strike, on which Captain Emes sheered off and saved his ship, running the Newport ashore or otherwise she would have sunk. In the same month of July Count Frontenac, Governor of Canada, invaded the Indian country belonging to New York Government with two thousand troops. The design was to prevail with the Indians to join them, but instead of that they fled from their castles, and the French, having destroyed their corn, demolished their castles and retreated. Application was made to the Governor of New York in time, but he never regarded their expresses, to the great dissatisfaction of the Indians and of the inhabitants of the province. After the retreat of the Indians he came to Albany with thirty soldiers, to no purpose, but this is like the rest of his arbitrary proceedings put upon the King's subjects in the province. In August the French besieged the fort of Pemaquid in New England with three men-of-war, landing one hundred soldiers and two hundred Indians, two mortars and two pieces of cannon firing three bombs into the fort, as was designed, but over played the fort clearly (*sic*). Then the French Indians summoned the fort, threatening the captain in command that no man should have quarter if they did not immediately surrender; insomuch that the "courdly villane" surrendered the fort on condition of quarter and marching out of the fort as prisoners without bag or "bagish or aney meteryalles of ware." This was a regular stone fort, with eighteen very good guns mounted and ammunition and provisions considerable to defend a siege, but this "courdly and trechuras villan," as I may call him, during the siege fired only three guns from the fort between the 10th and 12th of August, having with him a hundred "counturry" soldiers. The French took away all the great guns, two hundred small arms and everything answerable, and eight barrels of powder, and then blew up the fort. The day before we left Piscadua we had advice that the French had invaded Newfoundland with "a leiven" [?eleven] men-of-war, and had taken a hundred sail in those harbours. Our man-of-war then in harbour, rather than be taken by the French, was abandoned and

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set on fire by the captain. Those parts of America are so much "in combured by Governures and self intrist and imposinge upon His Majesty's subjects that no feasabell methudes are tackun to promote His Majestye's intrist and honure." The only proposal that can be thought upon is to send them a General Governor, ships of more force, a regiment of soldiers, men skilled in fortifying, and a magazine proportionable to the garrisons. "I am hayly sensabell" that if a speedy method be not taken to send a supply for the assistance of those parts, the French will in all likelihood destroy all their garrisons and ruin the country. All this can be certified by several gentlemen who have come from those parts to London. *Signed*, Rog. Wright. 2 *pp.* *Endorsed*, Recd. and read 30 Nov., 1696. [*Board of Trade.* New York, 6. *No.* 78.]

Nov. 25. Whitehall. **423.** William Popple to Mr. Pulteney. Desiring an answer to the question put to the Master General of the Ordnance as to the stores of war sent to the Colonies since the King's accession. [*Board of Trade.* Plantations General, 34. *p.* 87.]

Nov. 25. Whitehall. **424.** Lords of Trade and Plantations to the King. We have information from credible hands of the capture of Pemaquid by the French and the besieging of Saco, near Piscattaway, from which county the masts come. In view of the danger that thus threatens the country we represent the want of a Governor, with some knowledge of military affairs, and of a vice-admiral. *Signed*, Ph. Meadows, William Blathwayt, John Pollexfen, Abr. Hill. [*Board of Trade.* New England, 36. *p.* 51.]

Nov. 25. **425.** Minutes of Council of Barbados. The Assembly returned the bill as to decision of elections, with the Council's amendments thereto amended. A conference was then held thereon, and the bill was again brought up with amendments. Bill concerning trade sent down to the Assembly with amendments. [*Board of Trade.* Barbados, 65. *p.* 167.]

Nov. 27. **426.** Journal of Council of Trade and Plantations. The Agents for Barbados attending, their late memorial (*see No.* 400) was read over by paragraphs. They said that they had no instructions as to military stores, but would consider the proportion of those that seemed most necessary and report. They agreed that the engineer for the Leeward Islands might first call at Barbados and do all that was needed, but were unable to give any account of the Governors taking the fifteenth of all prizes; and they recommended that a brigantine and a snow should be taken up for the service of the Island.

Nov. 27. A petition of John Clappe and others was read (*see next abstract*) also another paper by Mr. Usticke. The Secretary was directed to write to the Mayors of the West Country ports. Several merchants of Newfoundland attended, bringing with them two captains of merchant-ships who had been in Newfoundland at the time of the capture of Ferryland, and gave an account how they had fortified the mouth of the harbour, but that the French had landed a force and turned it; of all which the merchants promised to give an account in writing. [*Board of Trade.* Journal, 9. *pp.* 250-253.]

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Nov. 27. **427.** Petition of John Clappe and others, on behalf of the inhabitants of Ferryland, in Newfoundland, now residing at Barnstaple in Devon, to the King. On Monday 21 September last seven French men-of-war and two fire-ships landed about seven hundred men in Ferryland and attacked us on every side. After making what resistance we could we were forced (they being too many and too strong for us) to submit, and since we refused to swear allegiance to the French king and to take up arms against your Majesty, the enemy dealt very hardly with us, burnt all our houses, household goods, fish, oil, train-fats, stages, boats, nets and fishing craft to the value of more than £12,000, and sent us away with our wives, children and servants. By God's mercy we are all, to the number of about 150 persons, arrived safely in England, but owing to our great loss we are in great poverty and unable to subsist without relief. We beg therefore for relief, and that a sufficient force may be timely sent to save next season's fishing, and to regain and defend the said harbour and adjacent places from the French, so that we may rebuild our houses and stages and resume our fishery trade. *Forty three signatures. Large sheet. Endorsed*, Recd. 27 Nov., 1696. [*Board of Trade.* Newfoundland, 3. *No.* 6; *and* 25. *pp.* 34-35.]

Nov. 27. **428.** "A paper presented to the Board by Mr. Richard Enstead." A Governor at Newfoundland was of no advantage to those that went there on a fishing voyage, but rather the contrary, for a Governor craves an Admiral's chief place in most advantageous harbours for his own by interest, though the said ground has anciently belonged to that ship that first possessed the harbour to make his fishing voyage. Also the Governor on complaint of any troublesome fellow, may summon the masters before him, which, as the distance may be leagues from the place where his ship lies, may be very prejudicial to his voyage. In every harbour during the fishing season the first ship that gets or takes possession of said harbour has always had the name of Admiral, who has had by ancient custom the right to choose the most convenient part of the harbour for building his stage in order to make his fishing voyage, and to make use of no more ground than has been customary heretofore for the same number of boats that he may employ for the killing enough to load his ship. And it has been customary for the Admiral of a harbour to make use of one boat's room over and above, and not that he take his room in two harbours, which is disadvantageous to another ship's occasion. It has been usual in case of any differences between the ships, either masters or men or inhabitants or planters, for the Admiral of the harbour to hear the same, who has adjusted the matter to the satisfaction of the complainants. Therefore there is no occasion for a Governor. An order should be issued that no ships making a fishing voyage to Newfoundland shall carry any men but what really belong to the said ships, on penalty of a fine of £10 for each man on conviction before the Admiral of the harbour and another master of a ship in that harbour. No partner nor resident in Newfoundland should be permitted to encroach on any fishing-room that ships have formerly made use of. Planters and inhabitants should take room at a distance [from that] which is used by ships that go on a fishing

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voyage. No planter or resident should be permitted to build store-houses or other houses on any ground that has been used for the making of fish, nor to destroy any stage or room (which they have frequently done) after the ships are gone to their market, for it is very expensive for the ships that go next year to build others. No ship's company that arrives in any harbour with resolve to fish there shall destroy any stage or room which might serve the next ships that arrive. We pray that we may have convoy by the beginning of January to touch at Milford to escort our ships to Portugal to load salt and thence to Newfoundland; and that about the 20th of February we may have the convoy at Milford to convoy ours and the British ships direct to Newfoundland Six men-of-war may be sufficient, four to guard the fishery and two to cruise on the coast, which may prevent the building of forts unless there be occasion to fortify any harbour during the fishing-season, in which case the fortification may be made with the guns belonging to the ships in that harbour. At the end of the season one or two of the men-of-war may be ordered to return with the ships that bring the train-oil and the fishermen, while the other four men-of-war convoy our fish-ships to Spain or Portugal. It would be very advantageous to the King's subjects that no Spaniards or Portuguese be permitted to trade to Newfoundland, for they supply their own market and bring no return to England, which is a great loss to the revenue and to English interests. *Large sheet. Endorsed as headed*, Nov. 27, 1696. [*Board of Trade*. Newfoundland, 3. *No.* 7.]

Nov. 27. Plymouth. **429**. Lieutenant George Sydenham to William Blathwayt. I have written several letters while at [New] York, but I think you received none. I thought it my duty to give you a full account of what officers have suffered. In February '94 I applied to you for my subsistence. Captain Weems, being gone to sea, left his bro. [?brother] to receive what money he could. You wrote to Captain Hide to pay me, but he refused, alleging that he knew not what accounts were between my captain and I. We set sail the 21st of March 94-5, and arrived at Boston on the 15th of May, where I met with my captain. I desired some money of him: he said he had none for me. On the 12th June we set sail for New York and arrived there on the 16th and 19th, with the Governor's and Captain Weems's company on board for Albany. We lieutenants made application to His Excellency how we were to be subsisted, saying that we had no money and desiring him to supply us or give us credit, as the captains had received six months' subsistence for officers and soldiers. The Governor said he had no money for us and we must go to our posts. We arrived at Albany the 23rd of June, and Captain Hide on the 4th of July. We applied to the captains for money, but none would be granted. At the latter end of September the Governor came to Albany, and we made a second application to him for money. He said he had none, but that he expected the captain to pay us, as he had paid all his officers, and he ordered Captain Weems to pay me, but Captain Weems never obeyed the order. I was forced to lay down my command before I made myself more miserable. I laid an information before the Governor and Council, of which I desire you to consider what we

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have suffered. I doubt not that the Governor has sent you a copy of it, if not, I have a true copy which I desire you to peruse with your favourable construction. When I come to London I shall further inform you by two other officers, come on the same account. The Governor, Council and Assembly of Boston, as I understand, have petitioned the King to send ships with land-forces to defend them from the invasions of the French and Indians, who have cut off all the plantations for several miles, and taken forts. If any forces do come I hope you will befriend me with some post answerable to my qualifications and behaviour. I shall never be unmindful of your favour, which I shall ever acknowledge. Sir, we came out of Piscattaway in New England the 17th of October, mastships and merchantmen under convoy of H.M.S. Surloin. Two merchant ships were separated from us by a storm; they were laden with oil, whalebone, sugar, molasses, logwood and brazaletto. Pray excuse my rudeness. *Signed*, Geo. Sydenham. 1½ *pp. Endorsed*, Recd. 4 Dec., 1696. [*Board of Trade.* New York, 6. *No.* 79.]

Nov. 27. St. James's. **430.** Mr. Pulteney to William Popple. Forwarding the answer of the Officers of Ordnance to the Council of Trade's letter of 9 November (*see No.* 378). *Signed*, J. Pulteney. ½ *p. Endorsed*, Recd. 27 Nov., 1696. *Annexed*,

430. I. Officers of Ordnance to the Council of Trade, 24 November, 1696. We enclose a list of all stores of war sent to the Plantations since the beginning of the King's reign. *Signed*, H. Goodricke, Chr. Musgrave, Joh. Charlton, Ja. Lowther, Wm. Boulter. ½ *p. Endorsed*, Recd. 27 Nov., 1696. Read 30th.

430. II. Account of stores of war sent to the Colonies from 1 November, 1689, to 1 November, 1696. 13 *pp.* [*Board of Trade.* Plantations General, 4. *Nos.* 18, 18I., II.; *and* (*enclosure No.* I. *only*) 34. *p.* 88.]

Nov. 27. H.M. Yard, near Plymouth **431.** Captain George St. Lo, R.N., to William Popple. Acknowledging the receipt of packets for Barbados and Jamaica. *Signed*, G. St. Lo. ¼ *p. Endorsed*, Recd. Read, 30 Nov., 1696. [*Board of Trade.* Plantations General, 4. *No.* 19.]

Nov. 28. **432.** William Popple to the Mayors of Exeter, Bristol, Plymouth, Dartmouth, Weymouth, Poole and Fowey. Desiring to know the proposals of the merchants interested in Newfoundland as to the measures for recovering and securing the trade there, and asking them to appoint an agent to attend the Council of Trade on the matter. [*Board of Trade.* Newfoundland, 25. *p.* 36.]

Nov. 29. **433.** Commission to Nicholas Webb to be Governor of the Bahama Islands. *Signed*, Craven, Bath, Berkeley, Ashley, Wm. Thornburgh for Sir John Colleton. [*Col. Entry Bk., Vol. XXII., pp.* 257-258; and noted in *Board of Trade.* Carolina, 4. *p.* 33.]

Nov. 29. **434.** Additional instructions to Nicholas Webb. To enquire into the truth of an allegation that Nicholas Trott allowed certain pirates to land in the Bahamas, in consideration of presents which they made to him, and that he took most of the cargo for himself. [*Board of Trade.* Carolina, 4. *p.* 35.]

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Nov. 30. **435.** Minutes of Council of Jamaica. Peter Beckford, junior, was sworn as Receiver-General. Orders for certain payments. On intelligence of the coming of a French squadron, supposed to be designed against the Spanish ports on the Main, it was ordered that two fireships be at once fitted out for defence of Port Royal, and that the vessels now fishing at the wreck about Point Pedro Cays be recalled. Order for payment of the Chief Justice's salary. The late Receiver-General's accounts were brought up and referred for audit. A consultation was held later with the Captains of H.M. ships Southampton, Princess Anne and Reserve, when it was resolved to fit out fireships immediately and to keep boats ready manned and armed in the harbour. [*Board of Trade.* Jamaica, 79. *pp.* 35-37.]

Nov. 30. **436.** Memorial of the Town of Barnstaple, Devon, to the Council of Trade and Plantations. (1) We conceive that nothing can more advance the fishery trade of Newfoundland than the continuance of the government of the fishery after the ancient way, and the strict observance of the constitutions whereby it has hitherto been regulated, the masters and fishermen being accustomed to the same, and the rules having been found by experience to be beneficial. The regulations are as follows:—That the first ship arriving from England that enters and takes possession of a harbour shall have the name of Admiral of that harbour, and shall have first choice of a place for building his stage and for making his fishing-voyage, taking enough ground and no more for the number of fishing-boats that he shall keep, with room for one boat more as his privilege for first coming; that the respective Admirals be charged with the preservation of public peace and good government among the fishermen and planters in their respective harbours, by punishing the lesser offenders and bringing the more heinous to be punished in England according to their deserts, and that they have power to hear and decide all differences between masters of ships and seamen or planters, according to the ancient custom, which has given satisfaction to all parties; that no planter or inhabitant possess himself of any stage, beach or landing place which has formerly been used by the fishing-ships from England, nor provide himself with a fishing-place before the arrival of the ships or at soonest before the beginning of May; that no planter destroy any stage or room built by any ship, nor any ship's company on its arrival destroy any stage or room that might serve the next ship that arrives, nor any person convert to their use the boats or train-fats that belong to others without the owner's consent. (2) For the increase of seamen for the King's service it should be strictly provided that every ship making a fishing-voyage to Newfoundland do carry for every five seamen one who has not been to sea before. (3) The Captains of the King's ships should be ordered to prevent any of their company taking, curing, salting or drying any fish in or about Newfoundland, and be forbidden to take any fish into their ships by way of freight or merchandise, except for their own use and spending. (4) For the present re-settlement and security of the trade we think that six fourth-rate men-of-war and some land-men should be at Milford

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about the 20th of February next to convoy the ships belonging to Bristol, Barnstaple and Bideford to Newfoundland and put us in possession of the places lately taken by the French. Two of the men-of-war should cruise upon the coast, the rest should guard the fishery. Any fortification of any harbour may be made with the guns of the ships belonging to that harbour. At the close of the season we ask that one or two of the men-of-war may convoy the ships with the train-oil and fishermen, while the remainder guard the fish-ships to Spain or Portugal. (3) We think that establishing a Governor and building forts in Newfoundland can be of no service to the King, for the following reasons: (i) Building of forts will not save the expense of convoy to Newfoundland, which is absolutely necessary. No ships, considering the late great losses, dare venture without a strong convoy. (ii) The country being large and containing almost as many harbours as England, many forts would be necessary to make any tolerable defence against the landing of an enemy, the charge of maintaining which forts would far exceed that of the strongest convoy desired. (iii) A Governor residing but in one place can secure only the harbour in which he resides. The ways overland from one harbour to another are difficult, if not impassable, by reason of the woods; to which it may be added that to call fishermen from their harbours to attend the Governor upon any troublesome complaint would be great loss and hindrance to them, when they should be quietly at labour in preparing lading for their ships. (iv) The disturbances, as also the disputes, between the seamen and the planters, may be redressed (as has been usual), without delay or calling the seamen from the harbours, by the Admirals of the harbours. (v) It is conceived that the office of a Governor and the several forts cannot be maintained without a tax, which perhaps may be laid upon fish, train, etc., which the poor fishermen will be unable to bear, especially since it is thought that the whole product of the fishing trade in Newfoundland would scarcely suffice to maintain the charge of forts necessary for the defence of the harbours. (vi) Notwithstanding any salary allowed by the King to the Governor, it would be in his power to oppress the seamen, the possibility of which would be a great discouragement to the trade. (vii) If the French should in the winter make themselves masters of any of the forts (which would not be very difficult) our own guns and fortifications would be turned against us in the fishing season. We therefore think that the building of forts and establishment of a Governor would be of no service to the King and no defence to the trade, but rather a hindrance and discouragement to the trade; and we beg that no Governor may be sent to Newfoundland. *Signed*, Jeffery Bagilholl, Mayor, *and by thirty-four others.* 3 *pp. Endorsed*, Recd. 30 Nov., 1696. [*Board of Trade.* Newfoundland, 3. *No.* 8; *and* 25. *pp.* 36-40.]

Nov. 30. **437.** Memorial of the Town of Bideford to the Council of Trade and Plantations. We desire that Richard Usticke, our present collector of Customs, may solicit the Newland concern on our ports, and for his government we have drawn up our sentiments as follows:—Here follows a literal transcript of the paper presented

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by Richard Enstead. *See No.* 428. *Signed,* Jno. Langford, Mayor, *and by twenty-eight others. Large sheet. Endorsed,* Recd. 30 Nov., 1696. [*Board of Trade.* Newfoundland, 3. *No.* 9; *and* 25. *pp.* 41-43.]

Nov. 30. **438**. Journal of Council of Trade and Plantations. A memorial from the town of Barnstaple was received, also an account from the Ordnance of the stores sent to the Colonies since the beginning of the war. A second memorial from Mr. Brenton as to naval stores was also received. Letters from Lieutenant Roger Wright of 24 November, from Governor Goddard of 30 June, from Lieutenant-Governor Stoughton of 24 September, from Isaac Addington of 16 September, from Governor Fletcher of 13 July, 22 August, and 17 and 18 September, and from Robert Livingston of 19 September, were read. Mr. Nelson came with an account of the French prisoners taken at Hudson's Bay, which he was bidden to lay before Secretary Trumbull, as being beyond the province of this Board. [*Board of Trade.* Journal, 9. *pp.* 254-256.]

Nov. 30. **439**. Minutes of General Assembly of Massachusetts. Bill against high treason read a first time. Bill for incorporation of Harvard College further debated and committed.

Dec. 1. Bill for Assize of Bread read again, voted to be engrossed and sent down to the Representatives. Bill against murder of bastards returned from the Representatives with concurrence, and the Bill against conjuration and witchcraft also returned, with non-concurrence. Vote of the Representatives, as to sending an Agent and an Address to the King to ask for supplies and for restoration of ancient privileges debated, and returned for explanation.

Dec. 2. The private bill as to John Moore's estate voted to be engrossed and sent down to the Representatives. Voted in concurrence with the Representatives that £50 of their arrears of rates be remitted to the town of Dunstable, and that a pension of £5 a year be paid to Abraham Cock, a soldier who has lost an arm in the King's service, and that £50 be allowed to Captain Anthony Checkley for his services as Attorney-General. Bill for Assize of bread returned from the Representatives with concurrence. Bill against murder of bastards passed and enacted. Order for granting a new precinct for support of the ministry in Springfield voted, and sent to the Representatives for concurrence.

Dec. 3. Bill for Assize of Bread passed and enacted. Bill against high treason again read, engrossed, and sent down to the Representatives. A Bill from the Representatives as to sending an Agent and an Address to the King to ask for supplies, restoration of ancient privileges and further additions of power, was read and negatived.

Dec. 4. Three Councillors were sent to the Representatives on the business of despatching an express to England, who returned to report that the Representatives refused further consideration of the former vote sent down by the Council. The order as to the ministry at Springfield returned from the Representatives with concurrence.

Dec. 5. Bill against high treason returned from the Representatives with concurrence. A Committee appointed to join with a Committee of the Representatives to consider what is necessary to be done in

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respect to the inhabitants of Port Royal and of other parts of Nova Scotia. Address to the King drawn up and voted. Petition of inhabitants of Wells for remission of rates due from them and for assistance from the troops there quartered in repair of their fortifications, read and granted. [*Board of Trade.* New England, 48. *pp.* 95-101.]

Dec. 1. **440.** Minutes of Council of Barbados. Orders as to the guarding of the French prisoners, and for a convoy for the ships bound to North America. [*Board of Trade.* Barbados, 65. *p.* 168.]

Dec. 1. Dartmouth. **441.** The Mayor of Dartmouth to Council of Trade and Plantations. Our proposals as to Newfoundland are already drawn up and sent to our burgesses Sir Joseph Herne, Knt., and William Hayne, Esquire, to whom I have signified your pleasure therein. *Signed*, Thomas Floud. ½ *p. Endorsed*, Recd. 4 Dec., 1696. [*Board of Trade.* Newfoundland, 3. *No.* 10.]

Dec. 1. Plymouth. **442.** The Mayor of Plymouth to William Popple. I have received yours of 28th November. (*See No.* 432.) I shall convene the merchants and others interested in Newfoundland as soon as possible and lay their opinions before you. *Signed*, John Munyon. ½ *p. Endorsed*, Recd. 4 Dec., 1696. [*Board of Trade.* Newfoundland, 3. *No.* 11.]

Dec. 1. Treasury Chambers. **443.** William Lowndes to William Popple. Forwarding the presentment of the Commissioners of Customs of 16 November with its enclosures, to be laid before the Council of Trade. ½ *p. Endorsed*, Recd. 2 Dec., Read 4 Dec., 1696. [*America and West Indies*, 601. *No.* 35; *and Board of Trade.* Proprieties, 25. *p.* 5.]

Dec. 1. Plymouth. **444.** Capt. St. Lo., R.N., to William Popple. Enclosing receipts for the packets for Barbados and Jamaica. *Signed*, G. St. Lo. ¼ *p. Attached*,

444. I., II. The receipts referred to, signed by the masters of the ships. *Scraps.* [*Board of Trade.* Plantations General, 4. *Nos.* 20, 20I., II.]

Dec. 2. Whitehall. **445.** William Popple to the Secretary of the Admiralty. The despatches of the Council of Trade were sent to Plymouth a week ago for the advice-boat appointed to sail from thence. The Council of Trade desires to know whether you have yet news of her sailing, and when the two men-of-war appointed to sail to Virginia will be ready. [*Board of Trade.* Plantations General, 34. *p.* 88.]

Dec. 2. Admiralty. **446.** Secretary of the Admiralty to William Popple. We have news that the advice-boat was ready to sail from Plymouth by the first opportunity of wind and weather, but not yet that she has sailed. The ships for Virginia will be ready in a fortnight if not hindered by want of provisions. *Signed*, Wm. Bridgeman. 1 *p. Endorsed*, Recd. 2 Dec., 1696. [*Board of Trade.* Plantations General, 4. *No.* 21.]

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Dec. 2. Westminster. **447.** William Bridges to William Popple. I enclose an abstract of the list of stores desired by the Counsel and Assembly of Barbados, which I think may be necessary to be sent by next fleet. Pray tell the Council of Trade that the fifteenth on uncaptured vessels is claimed by the Governors of Barbados as Vice-Admirals. ½ *p.* *Endorsed*, Recd. and read 2 Dec., 1696. *Annexed*,

447. 1. List of stores of war required for Barbados. 1½ *pp.* *Endorsed*: Read 6 Dec., 1696. [*Board of Trade.* Barbados, 7. *Nos.* 21, 21i.]

Dec. 2. Whitehall. **448.** J. Tucker to William Popple. The envoy of Brandenburg is pressing for an answer to his memorial. (*See No.* 382.) Pray put the Council of Trade in mind of it. ½ *p.* *Endorsed*, Recd. 2 Dec., 1696. [*Board of Trade.* Leeward Islands, 5. *No.* 19.]

Dec. 2. Bristol. **449.** The Mayor of Bristol to the Council of Trade and Plantations. I am desired by the merchants interested in Newfoundland to send you the enclosed proposals, which they assure me are drawn up without any sort of partiality or self-interest, the Bay of Bulls being a place where no trade is driven from this city, but a harbour which they think most convenient for a man-of-war to ride in for security of the general trade. *Signed*, John Hine. ½ *p.* *Endorsed*, Recd. 4 Dec., 1696. *Enclosed*,

449. 1. Proposals offered for the better security of the trade to Newfoundland. Eight men-of-war and two fire ships should be sent there in April with orders to lie at the Bay of Bulls, which lies in the middle of our general trade and from which they may best go to the relief of any place in danger, though the wind should be easterly and blow on the land, because there is room to turn out and no danger in the way; whereas if they should lie at St. John's they cannot get out with an easterly or southerly wind, nor scarce with a northerly if the sea runs high, so that they cannot go at all times to the relief of any harbour that may be in danger. But if the Government please to make fortifications on the shore besides men-of-war, we then conceive Ferryland, Harbour de Grace and St. John's to be the properest places to fortify, because they are the fittest by nature. The trade of this city lies at Harbour de Grace and the places adjacent, where the inhabitants are more numerous than anywhere else in the land, St. John's excepted. *Eighteen signatures.* ¾ *p.* [*Board of Trade.* Newfoundland, 3. *Nos.* 12, 12i.; *and* (*enclosure only*) 25. *pp.* 44-45.]

Dec. 2. Weymouth. **450.** The Mayor of Weymouth to the Council of Trade and Plantations. The persons of this town interested in Newfoundland have agreed to some proposals as to the recovery and security of that trade, which are herewith enclosed. I have desired Mr. Arthur Shallet, merchant of London and a considerable trader to those parts, to attend you. *Signed*, Geo. Lisle. ½ *p.* *Endorsed*, Recd. 4 Dec., 1696. *Annexed*,

450. 1. Proposals for the encouragement and security of the Newfoundland trade. (1) That a sufficient convoy may

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be appointed to sail with the fishing-ships at the beginning of March. (2) That the men of these ships may be protected from impressment during their voyages, the contrary having proved very prejudicial to the adventurers. (3) That all sorts of provisions and materials for the fishery may be exported without paying custom as formerly. (4) That a good convoy may be ready to sail with the latter fleet about the beginning of June, for their sailing so late as they have for several years last past has been much to the prejudice of the merchants, and that the convoy may be of sufficient strength to secure the country during the summer, and that land-fortifications may be erected for the security of the several harbours. ½ *p. Endorsed as the covering letter.* [*Board of Trade.* Newfoundland, 3. *Nos.* 13, 13 I. ; *and* (*enclosure only*) 25. *p.* 44.]

Dec. 2. **451.** Journal of Council of Trade and Plantations. Order for the Secretary to enquire as to the advice-boats from the West Indies, and the men-of-war for Virginia, and for letters to be drawn up to the Governors of the Colonies as to the quota for New York, and the order against harbouring deserters. Sir William Beeston's letter of 22 July, to the Duke of Shrewsbury was read, also an abstract received from the Barbados Agents of the military stores most urgently required.

Dec. 3. Mr. Bridgeman's letter as to the advice-boats and the men-of-war for Virginia was read, also a letter from Sir W. Beeston to the Duke of Shrewsbury of 18 September. The representation as to Jamaica, Barbados, and the Leeward Islands was signed.

Dec. 4. A letter from Mr. Lowndes with a presentment of the Customs as to illegal trade in the Colonies was read. Mr. Penn, Colonel Winthrop, and others concerned in the chartered and proprietary Colonies attended, again desiring copy of the representation as to Attorneys-General in the Colonies, or at least of the information on which it was based, in order to vindicate themselves against Mr. Randolph's calumnies. They were told that the point at issue was whether the King had the right to appoint such officers in the Proprietary Colonies or not, and that nothing would be done until they had been heard. The Attorney-General was ordered to hasten his report on that subject. On the information of the New York Agents, orders were sent for the five Indians at Plymouth to be brought to London and kindly used. The merchants of Newfoundland brought up a fresh memorial. (*See No.* 463.) The question of Nieu Tortolen was considered, and a representation to the King thereupon agreed on. [*Board of Trade.* Journal, 9. *pp.* 257-262.]

Dec. 3. **452.** Council of Trade and Plantations to the King. We have received letters from Barbados, dated July, August, and September, all of which set forth the ill state of the fortifications, the weakness of the late Governor Russell's regiment and of the want of recruits and of stores. We submit a list of stores to be sent to them. Hitherto the Island has provided itself with stores, but it is now represented to us that they cannot now do so without

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your assistance, owing to the expense of their several expeditions against the French. We recommend also that an engineer under orders for the Leeward Islands may be sent first to Barbados, and also that a master-gunner be sent there. To put an end to the complaints as to pressing of seamen we recommend that a sufficient number of supernumerary seamen for the King's ships may be sent out on the men-of-war, and if necessary on the merchant-ships, which will accept their labour as payment for their passage. We recommend also that the sole power of impressment be vested in the Governor and Council. Lastly, we recommend that another Governor be appointed to Barbados as soon as possible, and that arrangements may be made for proper devolution of a Governor's powers of Vice-Admiralty in case of his death. *Signed*, J. Bridgewater, Tankerville, Ph. Meadows, Wm. Blathwayt, John Pollexfen, Abr. Hill. *Here follows a list of the stores of war to be sent out, considerably less in quantity than was requested by the Island.* [*Board of Trade.* Barbados, 44 A. *pp.* 36-39.]

Dec. 3. **453.** Council of Trade and Plantations to the King. Having intelligence of a squadron fitting out in France against the West Indies, we must represent that your important possessions there cannot defend themselves unless you fit out likewise a squadron of sufficient strength to divert the French from any considerable expedition against either your own or the Spanish possessions. Otherwise the Spanish Flota and the British Islands in the West Indies will be open to the immediate attack of the French this winter, which is the best season for such expeditions in that warm climate. Nor have we less ground to fear that upon their return to Europe in the spring they may execute their designs upon the Colonies on the Coast of North America, and even possess themselves of some and ruin the others. They have lately invaded New York and New England, and demolished a fort which was New England's chief defence. There is also danger that they will attempt that part of Newfoundland which was not destroyed last year, and hinder the re-settlement of the other by intercepting provisions and other necessaries, while they may even fortify the harbours there so as to drive us from that ancient and profitable trade. Besides all these inducements for fitting out a squadron, we would point out that without such a squadron the numerous fleets shortly about to sail for the Colonies will be greatly endangered, while their detention here and their being hindered from carrying supplies to the Colonies and bringing back produce will be of the greatest prejudice. *Signed*, Bridgewater, Tankerville, Ph. Meadows, Wm. Blathwayt, John Pollexfen, Abr. Hill. [*Board of Trade.* Plantations General, 34. *pp.* 89-90.]

Dec. 3. Kensington. **454.** Order of the King in Council. That in future commissions of Vice-Admiralty to Governors in the Colonies shall be so made out that, in case of a Governor's death his powers of Vice-Admiralty shall devolve upon his successor. *Copy.* 1 *p. Endorsed*, Recd. 18 Dec., 1696. Read, 19th. [*Board of Trade.* Plantations General, 4. *No.* 22; *and* 34. *p.* 92.]

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Dec. 3. Kensington. **455.** Order of the King in Council. On the complaints of the Governments of Barbados and Jamaica of impressment by the Captains of the King's ships, ordered that the sole power of impressing seamen in the Colonies be entrusted to the Governor, to whom Captains of King's ships shall make application when in want of men, when the said Governors shall see that the ships are furnished with men accordingly. *Copy.* 1½ *pp. Endorsed,* Recd. 18 Dec., 1696. Read, 19th. [*Board of Trade.* Plantations General, 4. *No.* 23; *and* 34. *pp.* 93-94.]

Dec. 3. Kensington. **456.** Order of the King in Council. On a representation from the Council of Trade complaining of the encouragement offered to piracy by the entertainment of pirates by the Proprietary Colonies, it was ordered that the Proprietors be acquainted therewith and required to take care that such entertainment shall cease in future, under the severest penalties. *Signed,* Wm. Bridgeman. ½ *p. Endorsed,* Recd. 15th, Read 16th Dec., 1696. [*America and West Indies.* 601. *No.* 36; *and Board of Trade.* Proprieties, 25. *pp.* 14-15.]

Dec. 3. Kensington. **457.** Order of the King in Council. For the engineer at present under orders for the Leeward Islands to go first to Barbados, to give directions as to the defences of the Island, and go thence to the Leeward Islands, passing backwards and forwards as required; also that a master-gunner be sent to Barbados. *Copy.* 1 *p. Endorsed,* Recd. 18 Dec., read 19 Dec., 1696. [*Board of Trade.* Barbados, 7. *No.* 22; *and* 44A. *p.* 40.]

Dec. 3. **458.** Council of Trade and Plantations to the King. We have lately received letters from Sir William Beeston of 22 and 23 July and 7 August. *The contents are here set forth at length.* We would recommend that people willing to go to Jamaica and producing certificates of their inability to pay their passage shall receive a free passage on board the men-of-war, that supernumerary seamen may also be sent out in the men-of-war to complete the crews of those already in the station, that the sole power of impressment be vested in the Governor and Council, that five tradesmen wrongfully impressed at Jamaica may be discharged, and that a naval agent be appointed in Jamaica and the crews supplied with fresh provisions. *Signed,* J. Bridgewater, R. Tankerville, P. Meadows, Wm. Blathwayt, Jno. Pollexfen, Abr. Hill. [*Board of Trade.* Jamaica, 56. *pp.* 53-57.]

Dec. 3. Kensington. **459.** Order of the King in Council. Referring the representation of the Council of Trade of same date to Lords of the Admiralty for report. *Draft.* 3 *pp. Endorsed,* Recd. 18 Dec. Read 19 Dec., 1696. [*Board of Trade.* Jamaica, 8. *No.* 32; *and* 56. *pp.* 62-63.]

Dec. 3. Kensington. **460.** Order of the King in Council. That William Jasper, Thomas Fant, Thomas Farr, Joseph Moore and Thomas Ward, who were irregularly pressed by Captain Kenny, of H.M.S. Swan, be discharged, paid off and sent back in a man-of-war to Jamaica. *Copy.* 1 *p. Endorsed,* Recd. 18 Dec. Read 19 Dec., 1696. [*Board of Trade.* Jamaica, 8. *No.* 33. *pp.* 61-62.]

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[Dec. 3.] **461.** A collection of depositions relating to the men mentioned in the preceding order.

461. I. Affidavit of Joseph Moore, taken 20 Sept., 1696. To the effect that he was impressed at Port Royal in H.M.S. Swan, kept in irons for fourteen nights, and brought to England and turned ashore at Deptford, sick and destitute, without certificate for payment of his wages. 1 *p.*

461. II. Affidavit of Thomas Ward, aged fifty, late an overseer in Jamaica. To the same effect. 1 *p.*

461. III. Affidavit of Joseph Moore, Oct. 6, 1696. That Fant, Farr and Jasper had also been impressed at Port Royal and desired their discharge from H.M.S. Swan. ½ *p.* [*Board of Trade.* Jamaica, 8. *Nos.* 33 I.-III.]

Dec. 3. **462.** Minutes of Council of Massachusetts. Order for payment of £30 to Major Charles Frost for military services in York County. Leave granted to Thomas Child to erect a small tenement near his dwelling-house in Boston. [*Board of Trade.* New England, 49. *pp.* 58-59.]

Dec. 4. London. **463.** Memorial of the traders to Newfoundland in London to the Council of Trade and Plantations. The fishery of Newfoundland is a very beneficial trade to the nation as well as for the breeding of seamen as for the riches gained by the vast quantities of fish taken by poor men's labour, which being carried to Spain, Portugal, Italy and (until the French possessed themselves of the trade) to France, there was imported oil, wine, sugar and other goods which paid great customs to the Crown. Between two and three hundred ships are employed in the trade, which yearly carry out from fifteen hundred or two thousand landmen or boys, who in two or three voyages become seamen. The French esteem this trade so much that they have given it the greatest encouragement. Particularly, in the strictest embargos of this war, ships have had liberty to sail thither. Also their great fishery on the bank and in harbours has lately bred men more seamen than we, and not only so but they have used all endeavours to discourage us and beat us out of that trade. Last season in particular they sent such a strength of ships and men that they ruined a third part of our harbours and took and destroyed about thirty sail of our ships and cargos, burned the houses, stages, boats, etc., of the planters and gave them their ships to carry them home, hoping to extirpate us from the trade. To prevent this we beg that a competent number of ships of war may be sent away as early in the spring as the 1st of March next to defend and secure our fishery and, as opportunity serves, to disturb the French in their fishery. We beg also for protection for the fishermen as well as for the seamen of our fishing ships to sail with the said squadron, that another convoy may sail on 1st June with the sack-ships that go to fetch the fish and carry it to markets, that about the 20th of September one or more of the men-of-war may convoy the ships bound to Cadiz and to the Straits as high as Leghorn, another convoy guarding those bound to Portugal and a third those bound to Bilbao,

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and that the residue bring the ships bound to England with oil, fish and passengers. We beg also that measures be taken for the security of the trade and of the harbours as well in the winter as in the summer. *Thirteen signatures.* 1 *p.* *Dated apparently* 5 December; *but endorsed,* delivered to the Board and read 4 Dec., 1696. [*Board of Trade.* Newfoundland, 3. *No.* 14; *and* 25. *pp.* 45-47.]

Dec. 4. Whitehall. **464.** Council of Trade to Secretary Trumbull. Desiring that certain Indians, brought as French prisoners from Hudson's Bay, be sent to London, and that they be very kindly used. *Signed,* J. Bridgewater, Ph. Meadows, Wm. Blathwayt, John Pollexfen, Abr. Hill. [*Board of Trade.* Plantations General, 34. *p.* 91.]

Dec. 4. Whitehall. **465.** William Popple to the Attorney-General. Desiring an answer to his enquiry as to the King's power to erect Admiralty Courts in the Proprietary Colonies. [*Board of Trade.* Proprieties, 25. *p.* 13.]

Dec. 4. Inner Temple. **466.** The Attorney-General to William Popple. On perusal of the charters of Rhode Island, Connecticut, Pennsylvania, Carolina, the Bahama Islands and East and West Jersey I find nothing therein to restrain the King's power to erect Courts of Admiralty in those Colonies, so I am of opinion that he may direct the Commissioners of Admiralty to issue commissions for exercising Admiralty jurisdiction and for the appointment of officers in them the same. *Signed,* Tho. Trevor. 1 *p.* *Endorsed,* Recd. 5th, Read 7th Dec., 1696. [*America and West Indies.* 601. *No.* 37; *and Board of Trade.* Proprieties, 25. *p.* 14.]

Dec. 4. **467.** Minutes of Council of Barbados. Governor Russell's instructions relating to powers of Vice-Admiralty referred to the law officers for their opinion. Thomas Sadleir appointed Chief Baron of the Exchequer. The Assembly desired a General Conference as to the bill concerning trade, and brought up bills to settle the militia, to establish Agents, and an additional bill for quartering soldiers.

Dec. 5. Order that the President and any two members, or any three members in the President's absence, may sit to hear and consider petitions. [*Board of Trade.* Barbados, 65. *pp.* 169-170.]

Dec. 5. Whitehall. **468.** Mr. Tucker to William Popple. The King has ordered Mons. de la Forest, late Governor of York Fort in Hudson's Bay, to be heard touching the alleged breach of articles between himself and Captain William Allen upon the surrender of that fort; and Mr. Secretary desires that it may be heard at the Council of Trade on Monday next. Pray give notice to Mons. de la Forest and the Governor and Company of Hudson's Bay to attend. *Signed,* J. Tucker. ½ *p.* *Endorsed,* Read 7 Dec., 1696. [*Board of Trade.* Hudson's Bay, 2. *No.* 1; *and* 3. *p.* 1.]

Dec. 7. **469.** Receipt for a copy of the Order in Council of 5 November, 1696, for disallowance of two Acts of Massachusetts. *Signed,* Hen. Ashurst. ¼ *p.* [*Board of Trade.* New England, 8. *No.* 43; *and* 36. *p.* 69.]

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[Dec. 7.] **470.** Memorial presented by the Agents for Jamaica. We would ask that the King should grant 1,500 soldiers; that the Governments of Carolina, Pennsylvania, etc., be strictly forbidden to entertain pirates; that the King will send out a squadron equal to that of the French to encourage the merchants to send ships and necessaries, there being at present a stop to both; that the men-of-war be ordered not to bring off debtors, nor to impress freehold inhabitants nor seafaring men from the provision-ships from North America; and that supernumerary men be sent yearly to recruit the crews of the men-of-war. ½ *p. Endorsed*, Given in 7th Dec., 1696. [*Board of Trade.* Jamaica, 8. *No.* 34.]

Dec. 7. **471.** Petition of Gabriel de la Forest, late Governor of Fort Bourbon, Hudson's Bay, to the King. I am a subject of the most Christian King. About the year 1694 Mons. de Bourville was sent Commander-in-Chief on an expedition to Hudson's Bay and pursuant to instructions attacked Fort York, then in possession of the English, which was surrendered to him on a capitulation, which was punctually observed. The fort was then re-named Fort Bourbon, and I was made Governor and remained there in quiet possession for nearly two years until the end of August last. Then Captain Allen came with H.M.S. Bonadventure and four other ships and attacked the fort, when, being forced by want of provisions, I surrendered on a capitulation, of which copy is annexed. I and my garrison, according to capitulation, were put on board the Bonadventure with several goods and merchandises which, by the terms of the capitulation, were to be carried with us to Placentia, in Newfoundland. I also asked Captain Allen to allow the two guns to be put on the Bonadventure, as agreed by the articles. But Captain Allen, contrary to the laws of Nations and of arms, has violated the capitulation not only by refusing to carry away the two guns and by seizing and detaining our goods, but by cruel and barbarous treatment of us in transporting us several hundred leagues from Placentia, and exposing us to all the perils of the sea in a small bark among the ice, from whence it was next to impossible to have escaped. I beg for restitution of our arms and goods, and that I and my garrison may be sent to France as soon as possible. *Signed*, G. de la Forest. 1 *p. Endorsed*, Recd. and read 7 Dec., 1696. *Annexed*,

471. I. Captain William Allen to Governor de la Forest. H.M.S. Bonadventure, 28 Aug., 1696. Summoning him to surrender Fort Bourbon on good quarter, since he is come with ships, men and artillery enough to surround it on all sides, and has driven M. de Bourville from the bay. *Copy.* ½ *p.*

471. II. Captain Allen to Governor de la Forest. H.M.S. Seaford, 20 Aug., 1696. I agree to all your articles but two. (1) I cannot carry you to Newfoundland in our ships as we are to stay in the bay all the winter, but to shew you that I desire no bloodshed I will spare you a small bomb-vessel to go whither you will, and will provide her with victuals and necessaries. (2) I cannot let you have all the beaver, etc., as I presume the greater part of it has been bought with British effects. *Copy.* ½ *p.*

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471. III. Captain Allen to Governor de la Forest, 30 August, 1696. Since you say the vessel is too small I will give you a man-of-war to transport you and your effects, as you desire, provided you surrender by six o'clock to-morrow morning. ½ *p.*

471. IV. Articles of Capitulation for the surrender of Fort Bourbon, late Fort York, 31 August, 1696. The terms are for the garrison to march out with the honours of war, taking their two guns with them, and be transported in a proper ship to Placentia, together with the furs and other goods traded this year. *Copy.* 1 *p. A schedule of the furs, etc., is attached. The whole endorsed,* Recd. and read 7 Dec., 1696. [*Board of Trade.* Hudson's Bay, 2. *Nos.* 2, 2 I.-IV.; *and* 3. *pp.* 2-8.]

Dec. 7. **472.** Proposals offered by the merchants of Exeter trading to Newfoundland. (1) We think it unavoidably necessary for eight or ten men-of-war to sail direct from England to Newfoundland at the beginning of February, or the middle at farthest, and that with them should go at least one entire regiment of foot-soldiers; whereby we may hope not only to re-take the harbours of which the French have lately deprived us, but to secure them from future attempts and to defeat the French in their own fishery by assaulting their plantation of Placentia before they can be reinforced. (2) We conceive that during the war it will be necessary to establish a Governor in Newfoundland for the safety of the place and security of English subjects trading thither. The French have sufficiently taught us this experience this year by their discipline under a government, when we were all in confusion without a head. (3) After the reduction of these territories it will be necessary to fortify the harbours of St. John's, Ferryland and Placentia, being the principal places for fishing and for security of ships. (4) We beg that a convoy be appointed to depart in January with the ships bound for Ireland to take in provisions for the subsistence of the inhabitants of Newfoundland, also other convoys to go with the ships bound for Lisbon and Cadiz to take in salt for the fishery and so to depart with them for Newfoundland; for should the fishing-ships arrive there and have no supply of salt, their voyages will be totally lost. ¾ *p. Endorsed,* Recd. 7 Dec., 1696. [*Board of Trade.* Newfoundland, 3. *No.* 15.]

Dec. 7. **473.** Journal of Council of Trade and Plantations. The Attorney-General's opinion as to the King's power to erect Admiralty Courts in the Colonies was read (*see No.* 466). The merchants of Newfoundland attending desired a speedy resolution upon the business, and stated their opinion as to the convoys required. Several letters from the Mayors of the West Country ports were read (*see Nos.* 441, 442, 449, 450).

Mons. de la Forest and several members of the Hudson's Bay Company attended, when the petition of the former was read. The Company denied all knowledge of the Articles of Capitulation and asked for further time to prepare their defence, which was granted. Messrs. John Heathcote, Brodrick and Lowe, of Jamaica, presented

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a short memorial as to the state of the Island, and dwelt on the danger that now threatened it. Governor Fletcher's letters of 22 August and 17 September read.

Dec. 8. A letter from the Secretary of Connecticut of 2 September was read, also Mr. Usher's letters of 30 September and 8 October. Order for Mr. Samuel Allen to attend to-morrow and, if possible, bring Capt. Shadrach Walton with him. Mr. Isaac Addington's letter of 22 September read.

Dec. 9. Order for a representation as to Newfoundland to be drawn up (*see No.* 482). The Jamaica Agents reported that the people in the Island were so much alarmed at the French preparations that they were moving all their goods on board ship. They were directed to attend again to-morrow. Memorial of Mr. Randolph read (*see No.* 480), on which it was ordered that the solicitor for the Proprietary Colonies have notice to attend on Friday next. The New York Agents delivered in several papers. Mr. Usher's letters of 30 September and 5 October were read.

Dec. 10. The Jamaica Agents again represented the danger and depopulation of the Island, and were recommended to prepare a scheme to encourage poor and unemployed persons to remove thither. Representations as to Nieu Tortolen, Bermuda, convoys and the laws of Massachusetts were signed. Mr. Newton attended and confirmed the intelligence of the siege of Saco Fort. The Secretary reported the receipt of Mr. Penn's letter of the 9th inst.

Dec. 11. A standing order issued that all appeals from the Plantations shall be heard in Privy Council. Order for Mr. William Partridge to attend on Wednesday next, also that several witnesses named by Mons. de le Forest attend on Monday. The Representatives of the Proprietary Colonies, being acquainted with the Attorney-General's opinion as to the King's power to establish Admiralty Courts, desired to be heard by counsel against it, which was granted. Mr. Penn, being left alone, renewed his protest against certain Acts of Maryland (*see No.* 478). As a Proprietor of East New Jersey he complained that Governor Fletcher compelled ships arriving there with goods from England to pay New York duties; but was answered that Governor Fletcher had instructions to do so. As to the quotas, he conceived that the matter would be best settled by deputies from each province meeting in a common Assembly, and promised to draw up a scheme on the subject. He then placed in the Board's hands a letter to himself, dated 13 June, 1695, with the signature erased, containing several complaints against Governor Fletcher, and in discourse suggested similar complaints against Governor Nicholson. Ordered that letters be written to him and to Colonel Winthrop requiring them to state in writing the particular complaints against those persons.

The Jamaica merchants attended respecting the design to send emigrants to Jamaica and were desired to put the same into writing. Orders as to the laws of the Colonies now in the hands of the law officers. [*Board of Trade.* Journal, 9. *pp.* 263-278.]

Dec. 7. **474.** Minutes of General Assembly of Massachusetts. Proposal for further strengthening of the Castle on Castle Island debated. A vote to that effect and for enlarging the salaries of the

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officers at the Castle was brought up from the Representatives and read.

Dec. 8. Act against high treason passed and enacted. Conference with the Representatives as to payment of the troops employed in the late expedition. The votes of the Representatives as to the Castle were again read. Votes for grant of £15 to Colonel Bartholomew Gidney, and of £30 to Lieutenant-Colonel Hathorne, commanders in the late expedition, were sent down to the Representatives.

Dec. 9. The votes for grants to Colonels Gidney and Hathorne were returned from the Representatives with non-concurrence. Additional bill to the Act as to nuisances, read, engrossed and sent down to the Representatives. Voted in concurrence with the Representatives that a Committee be appointed to examine the petition of Peter Ayre, that £10 be granted to Major James Convers for his services in negotiations with the Indians and equipping of troops, for confirmation of certain disputed land to Samuel Gookin and Samuel How, and for abatement of arrears due to the Treasury by John Hoyt, who was lately murdered by Indians, leaving little or no estate.

Dec. 10. Private bill as to John Moore's estate, passed and enacted, also the additional bill to the Act as to nuisances. Vote in concurrence with the Representatives for passing the Treasurer's Accounts. Order for a new bill to be prepared for incorporation of Harvard College.

Dec. 11. A declaration containing several articles of confession, an appointment for a day of public fast, and a proposal for a proclamation to excite officers to their duty, were received from the Representatives and negatived. Order for a public fast, to be held on the 14th of January, sent down for concurrence. Report as to the state of Port Royal read. Grant of £7 11*s.* 0*d.* voted to Captain Samuel Partrigg towards the expense of a special Court of oyer and terminer, lately held.

Dec. 12. Proposals from the Representatives that bills be prepared as follows, to appropriate all fines in each County to the public service within it, for the public sale of insolvent estates, for regulation of Winisimet ferry, and as to escapes from prison. Order for stating of the accounts of the forces and seamen read. [*Board of Trade.* New England, 48. *pp.* 102-108.]

Dec. 8. **475.** Minutes of Council of Maryland. Thomas Tench, on reporting that he had hopes of finishing the business of Colonel Copley's accounts to-morrow, was told that he would then be re-admitted to his seat in Council.

Dec. 9. Colonel Addison received a commission to act as Chancellor, Colonel Jowles being absent through lameness (*p.* 183).

Dec. 10. Order for continuing the officers and men added to the party of rangers on the Potomac, and for the party to remain together all the winter. The Governor presented them with ten dollars to drink the King's health.

Dec. 11. Letter from the Governor of New York read and ordered to be entered in the Council book; but it was conceived unnecessary to send an answer. Mr. Plater produced bills for £300 received from Sir Edmund Andros and was ordered to remit the same to England,

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as also the accounts of revenue and shipping. Referred to the law-officers, whether £150 paid to Colonel Nicholas Greenberry as President of the Council was legally paid to him, and whether the Act of Assembly confirming the proceeding in any way validates it (*pp.* 191-192).

Dec. 12. Colonel Addison was commissioned and sworn as Chancellor. The justices and lawyers, on being consulted, reported that it would be much more convenient that the Courts of Governor and Council and of Chancery should not sit until the end of the Provincial Court. Ordered that those Courts sit in future on the day after the rising of the Provincial Court. The case of John Coode having been referred to the King's Counsel, they reported that he had been prosecuted for recovery of £439 due from him to the King as Receiver of Potomac district, and also for blasphemous language; but that before execution could be done Coode had removed himself and all his goods into Virginia. They advised, therefore, that the Governor of Virginia be asked to arrest him and return him to the Government of Maryland. The Justices of the Provincial Court concurred herein (*pp.* 185-188). Order for payments for repair of arms. The petition of William Dent for salary as Solicitor-General was read, and the Governor was asked to recommend his petition to the King and Council in England (*pp.* 199-200). [*Board of Trade.* Maryland, 13. *pp. as cited.*]

Dec. 9. **476.** Minutes of Council of Barbados. The Council agreed to the Assembly's Amendments to the Bill for decision of Elections. Order for a guard to be kept on the gaol. A member was sent up to discourse the French Captain as to his desire to be removed to another quarter. [*Board of Trade.* Barbados, 65. *pp.* 170-171.]

Dec. 9. Gerard House. **477.** Earl of Macclesfield to Council of Trade and Plantations. Recommending Mr. Corker as a fit person to act as Attorney-General for Virginia and the adjoining plantations, and asking their assistance towards obtaining for him that office. *Signed*, Maclesfield. ½ *p. Endorsed*, Recd. 28th, read 30th Dec., 1696. [*Board of Trade.* Virginia, 6. *No.* 10.]

Dec. 9. London. **478.** William Penn to William Popple. "Esteemed friend," Two laws are passed in Maryland, one laying ten *per cent.* on all English goods coming to Pennsylvania through that province by any Maryland or Virginia ships that go hence for the tobacco, to the great detriment of our province and discouragement of our trade from hence and goods from thence hither—a new and unneighbourly if not unjust treatment. The other law lays a high duty upon our beers imported in that province, which we think churlish and destroying a good correspondence between the King's subjects in both provinces; for if we should refuse them provisions for their ships bound to England with tobacco, they must lie in their rivers for want of them. I therefore pray that no such laws pass the Committee in order to a confirmation, till we are heard in our exception to the said and like laws. *Signed*, Wm. Penn. *Holograph.* 2 *pp. Endorsed*, Recd. 19 Dec., 1696. [*America and West Indies.* 599. *No.* 28.]

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Dec. 9. Poole.

479. The Mayor of Poole to Council of Trade and Plantations. In reply to Mr. Popple's letter of 28 November I have enclosed the proposals of the merchants of the town interested in Newfoundland to Mr. Solomon Merrit, to whom they have given orders to attend you. *Signed*, Tho. Hyde. ½ *p. Endorsed*, Rec. and read 14 Dec., 1696. *Annexed*,

479. I. Proposals of the merchants and others of Poole, interested in Newfoundland. (1) We think it absolutely necessary that eight men-of-war sail from England direct to Newfoundland by the middle of February at latest, with a competent number of land forces, for the recapture of the harbours lately taken by the French, for their better preservation in future, and also for attack on the French plantations before they are reinforced. (2) We propose a Governor as very necessary to be constantly at Newfoundland during the war for the better security of the country and inhabitants, having sufficient experience that discipline under a Government has been a great advantage to the French, and the want of it a great loss to us. (3) We propose that St. John's and Ferryland (when reduced) be fortified, being the principal places of fishing and security of ships. (4) A convoy should be ready in January next to sail with the ships bound for Ireland to take in provisions for the inhabitants of Newfoundland, and another convoy for the ships that sail to Spain and Portugal for salt, the want of which would overthrow the fishing-ships and planters' voyages. (5) For the security of the fishing, harbours and inhabitants to northward of St. John's, viz., from St. John's to Cape Bonavista, a competent number of men-of-war (four at least would be necessary) should be appointed to cruise between these places throughout the fishing-season and until the ships are ready to sail. (6) Sufficient convoys should be appointed for the ships homeward bound with train-oil, wet fish, and passengers. During the absence of the shipping the Governor, for the better preservation of the settlements, should depute one of the chief inhabitants in every harbour to govern that harbour, according to instructions which shall be issued by that Governor. It is also necessary that this Governor should have been acquainted with the constitutions of the Colony. For the security of the north part as well as the south during the winter Carbonere and Bonavista should be fortified, the number of inhabitants and the trade being as great there as in other parts of the Island. *Signed*, Tho. Hyde, Mayor, *and by twenty-six others.* 1½ *pp. Endorsed as the covering letter.* [*Board of Trade.* Newfoundland, 3. *Nos.* 16, 16I.]

[Dec. 9.] **480.** Memorial of Edward Randolph to the Council of Trade. Learning that my memorial as regards the Government of the Proprieties has been submitted to you, and being anxious to return

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to the Colonies, where my presence is absolutely necessary for enforcement of the Acts of Trade and of the Scotch Act, I am attending you with proofs of the statements in my memorial, in order that my despatches may be completed, and that I may embark without delay. *Signed*, Ed. Randolph. *Holograph.* ½ *p. Endorsed*, Recd. and read 9 Dec., 1696. [*America and West Indies.* 601. *No.* 38.]

Dec. 10. **481.** Minutes of Council of Massachusetts. On the petition of Richard Bart for a divorce, a warrant was issued for the parties to appear on the 24th inst. [*Board of Trade.* New England, 49. *p.* 59.]

Dec. 10. Kensington. **482.** Order of the King in Council. Referring a representation from the Council of Trade, as to convoy for the Newfoundland salt-ships, to the Admiralty for report. *Copy.* ½ *p. Endorsed*, Recd. 18 June, 1697. [*Board of Trade.* Newfoundland, 8. *No.* 17; *and* 25. *p.* 120.]

Dec. 10. Kensington. **483.** Order of the King in Council. Referring a representation and other papers from the Lieutenant-Governor and Council of Massachusetts to the Council of Trade for consideration. *Signed*, Wm. Bridgeman. ½ *p. Endorsed*, Recd. 12 Dec. 1696. Read 14th. *Annexed*,

483. 1. Address of the Lieutenant-Governor and Council of Massachusetts to the King. We thank you for your princely care and feel emboldened to lay before you our despairing condition. For a long time past we have languished under a wasting war, whereby our estates have been much exhausted and many among us captured or destroyed. The enemy are reinforced by Indians drawn from the remoter parts of this Continent, by large supplies of arms and stores and by ships of greater force than formerly, whereby they have been enabled to make great impressions on us this summer through the capture of H.M.S. Newport by the men-of-war, and of the fort of Pemaquid by a land-force of near two hundred Frenchmen with mortars and cannon. The French interest is greatly advanced and your Majesty's interest is languishing. The places from which you have been supplied with naval stores are in danger to be seized, and our trade both north and south is greatly decayed. The charge of war has lain heavy on this province, Connecticut having contributed little and Rhode Island and New Hampshire nothing at all to the support of your interest, but having drawn a considerable charge on us for their defence. We therefore implore your royal aid, humbly praying that the several governments may be jointly concerned in the prosecution of the war and in supporting the charge thereof; that Port Royal and St. John's in Acadia or Nova Scotia may be settled by the erection of a regular fortification, with all necessary stores of war and a suitable garrison of soldiers at the charge of your

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Majesty's exchequer, which, it is apprehended, will be a greater bridle on the enemy than Pemaquid could be; that a suitable supply of warlike stores may be despatched hither for our forts and garrisons; that the two frigates here may be reinforced by one or more ships of greater strength to guard the coasts and the navigation (the French ships of war that have visited these parts in this year exceeding what has formerly been in number both of guns and of men) and that one of the frigates may convoy our vessels going to the West Indies to load salt for the fishery, being the chief staple of this country, since the seamen of the frigate will thereby be better secured to you, and the charge not augmented; that the seamen impressed for your service here may be paid when the ships are laid up for the winter, many of them having wives and children that depend upon the profits of their labour for subsistence, which would be a great encouragement to the seamen and a great relief to your subjects, also that a clerk of the cheque be appointed to muster the seamen of your ships from time to time, whereby the grievance of continuous and needless impresses will be redressed; that you will take into consideration the reduction of Canada, the unhappy fountain from which issue all our miseries, whereby the honour and revenue of the Crown will be increased, the Northern Indians will be entirely gained, and the interests and trade both of the Northern and Southern Plantations revived and secured. Thus in humble dependence on your favourable answer for the rescuing of a languishing province and preserving alive a people entirely devoted to your service, we prostrate ourselves at your feet. *Signatures lost, but given in the Entry Book as,* Wm. Stoughton; Penn Townsend, Speaker. *Large sheet. Dated,* 24 September, 1696. *The whole endorsed,* Recd. 12th, read 14th, 1696. *Attached,* a memorandum stating that Governor Fletcher's letter of 22 August, 1696, Lieutenant-Governor Stoughton's of 24 September, 1696, and the narration of the taking of Pemaquid fort, were also sent with this Order in Council. [*Board of Trade.* New England, 8. *Nos.* 44, 44i.; *and* 36. *pp.* 93-96.]

Dec. 10. Kensington. **484.** Order of the King in Council. For the disallowance of the following Acts passed in Massachusetts in 1693 and 1694; Additional Act for establishing Courts, Additional Act to several laws, further Additional Act to the Act for establishing Courts, Additional Act for setting forth general privileges, Act for regulating the Chancery. The reasons for disallowance are set forth as in the Minute of the Lords of Trade and Plantations of 10 January, 1696. *Signed,* Wm. Bridgeman. *Copy.* 2 *pp. Endorsed,* The original given to Sir H. Ashurst. [*Board of Trade.* New England, 8. *No.* 45; *and* 36. *pp.* 97-99.]

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Dec. 10. **485.** Lords of Trade and Plantations to the King. Report on the laws of Massachusetts, whereon the preceding Order in Council was founded. [*Board of Trade.* New England, 36. *pp.* 75-78.]

Dec. 10 Kensington **486.** Order of the King in Council. That the Council of Trade send the memorial of the envoy of Brandenburg to the Governor of the Leeward Islands, with orders as proposed in their representation. *Signed*, Wm. Bridgeman. ½ *p. Endorsed*, Recd. 18 Dec. 1696, read 19th. [*Board of Trade.* Leeward Islands, 5. *No.* 20; *and* 45. *p.* 37.]

Dec. 10. **487.** The Council of Trade and Plantations to the King. The preparations made by the French, which seem to be for the West Indies, oblige us to represent to you the very great importance of the Bermuda Islands, the situation of which is so much in the way of traders to America that if these Islands were ever possessed by the French they might be turned to the entire destruction of our West Indian trade. Though the natural strength of the Islands, environed as they are with rocks, is a great security to them, we have reason to apprehend that, as regards forts, stores, etc., they are not in such a condition of defence as is necessary. We beg that some skilful person may be sent thither to survey the place and direct the planters as to their better defence, and to bring back a full report. *Signed*, J. Bridgewater, Tankerville, Ph. Meadows, Will. Blathwayt, John Pollexfen, Abr. Hill. [*Board of Trade.* Bermuda, 29. *pp.* 5-6.]

Dec. 10. Kensington. **488.** Order of the King in Council. For an engineer to be sent to Bermuda as recommended in preceding abstract. *Copy.* 1 *p. Endorsed*, Recd. 18 Dec. Read 19 Dec. 1696. [*Board of Trade.* Bermuda, 3. *No.* 3; *and* 29. *pp.* 6-7.]

Dec. 10. **489.** Council of Trade and Plantations to the King. Recommending for confirmation six Acts of Montserrat and ten Acts of the General Assembly of the Leeward Islands. *Signed*, J. Bridgewater, Ph. Meadows, Wm. Blathwayt, Jno. Pollexfen, Abr. Hill. [*Board of Trade.* Leeward Islands, 45. *pp.* 34-36.]

Dec. 10. **490.** Council of Trade and Plantations to the Queen. On the memorial of the Envoy of Brandenburg (*see No.* 382) we would represent that though the Island of Nieu-Ter-Tholen be of much value, yet the facilities which it possesses for smuggling and for defrauding the Customs are such that it is important (so far as consists with justice) to discourage the planting and inhabiting of it. As to the justice of the present demand, there is no evidence that Sir William Stapleton took over the Island in trust, and we have reason to believe that he took it by conquest in 1672. We therefore recommend that the memorial and its enclosures be sent to Governor Codrington for his report. *Signed*, J. Bridgewater, Tankerville, Ph. Meadows, Wm. Blathwayt, Jno. Pollexfen, Abr. Hill. [*Board of Trade.* Leeward Islands, 45. *pp.* 30-31.]

Dec. 10. **491.** Council of Trade and Plantations to the King. We have not yet received answers from the out-ports that may enable

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us yet to report upon the whole business of Newfoundland. Meanwhile the merchants of Bristol, Barnstaple and Bideford have applied to us for one fourth-rate or two fifth-rate frigates to be ready at Milford at the beginning of next month to convoy their ships to Portugal, there to lade salt, and from thence to Newfoundland. They insist that unless they have such a convoy for their ships to lade salt (which is absolutely necessary for the fishery), they will not undertake to go upon the trade this year. We beg you to order the convoy that they desire, that trade being of such importance to your service. *Signed*, J. Bridgewater, Tankerville, Ph. Meadows, William Blathwayt, Jno. Pollexfen, Abr. Hill. [*Board of Trade*, Newfoundland, 25. *pp.* 47-48.]

Dec. 11. Plymouth. **492.** The Mayor of Plymouth to William Popple. I have by this post sent to Sir John Elwill, a member of the House of Commons and of the Committee of the Council of Trade, copies of the Patents of King Charles the First and Second, relating to the Newfoundland trade, from the originals in my custody, also the proposals of the merchants and others interested in that trade. Sir John Elwill has been desired to act as our solicitor. *Signed*, John Munyon. ½ *p.* *Endorsed*, Recd. and read 14 Dec., 1596. *Annexed*,

492. 1. Address of the merchants of Plymouth to the Council of Trade and Plantations. Much has been said at sundry times as to the encouragement and support of the trade to Newfoundland from the Western ports. The patents granted by King Charles I. and King Charles II. show how much those princes furthered the promotion thereof for the advantage that accrued to the nation in breeding a continual nursery of seamen, which was useful for their royal service beyond any employment or navigation in England. It has been made plain to King Charles II. in Council that there have been employed in the Newfoundland fishery from the ports of Bristol, Bideford, Poole, Weymouth, Lymington, Exeter, Dartmouth, Plymouth, etc., and concomitants depending thereon, from 250 to 300 sail of ships, some of considerable burden and force, and from fifteen to twenty thousand men, commonly one quarter of them raw men never used to the sea, which afterwards grew up to be stout and strenuous seamen, as has been seen in the different wars of the past forty years against the Dutch. Besides the great advantage which the nation had at home by the employing and keeping to work of several sorts of manufactures, as of seines, nets, etc., and the employing of several tradesmen as carpenters and so forth, the trade consumed a larger stock of provisions than any other navigation. But of late the trade is fallen much to decay and almost brought to nothing, especially to that end for which it was first encouraged, namely for the furnishing of ships, the breeding of seamen and the employment of tradesmen at home. The war which has

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consumed so many of our seamen during the past forty years, has caused many to transport themselves to Newfoundland to avoid the King's service, to reside there during the winter under the name of planters, to settle themselves in the best harbours and take up the best fishing places therein, to the detriment of the fishing ships, contrary to the patents already mentioned, which plainly forbid any planter to settle or build any house within six miles of any harbour or fishing place. But this they do, for there is no land fit to be manured for to bring forth anything fit for the support of mankind, and those that remain there have supplies of provision from New England, Ireland and other parts, not regarding the benefit of England. Forasmuch as the trade needs encouragement and protection in this time of war, it must be laid down first for a certain maxim that it cannot be secured but by sending out early from England six good frigates. These should sail at the beginning of March at farthest, should be well manned and stocked with provisions and ammunition for eight or ten months at least, and should be commanded by good, sober, experienced officers, well acquainted with the coast and with the affairs of the country. Had this been done last spring the damage sustained from the French might have been prevented, and probably as much damage would have been brought on the French as they have brought on us. Nothing can secure the trade but this method. It is true that St. John's may easily be fortified, for the harbour is narrow and difficult to enter, and there are no places, where an enemy can land and come in on their backs, but may easily be prevented. Ferryland may be fortified and secured for any ships to enter, but there are landing places both on the North and South sides where an enemy may land and march into the harbour, as the French did lately; so that besides the fort at the harbour's mouth there must be a regular fort built and maintained within. But, granting it should be thought necessary to fortify these two places, what will it signify to protect the ships that fish in forty or fifty places, more than three hundred miles from North to South? It must be concluded that no means can secure the trade but the sending of ships as aforesaid. It will be necessary also to send away about Midsummer two or three other frigates to convoy the ships that shall be bound there for sacks to take off the fish that shall be made, and to return at the end of the year when the fishing is over. With such ships as come home to England with oil and fish, the former frigates may be disposed of as convoys to their several markets in Italy, Spain and Portugal. No ships nor men-of-war can be better employed for the King's service and the good of the nation than those on this affair, considering the great

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return they bring of bullion, wines, etc., to the great advantage of the King's customs. It may be worthy of note, for the encouragement of this trade and the increasing of seamen, that our East and West India trade carry many men out and oftentimes bring home but few and at no time bring any increase of seamen. But those that go to Newfoundland are so well provided with victuals and labour that they come home healthy and well; and yearly the employment requires a quarter part of strong men who are not seamen. But by using in their voyages they become habituated, and most of them prove very serviceable in any other employment. It is worthy of consideration by the Council also whether, looking to the failure of the main supply of salt, which we used to obtain from France, owing to the war, and to the difficulty and cost of obtaining it from Spain and Portugal, a convoy of two men-of-war might not be sent to secure such sack-ships as shall go to the Isle of May and thence to Newfoundland (as had been many years accustomed) when it costs no more than labour and provisions. It may also be useful for those who send ships to the Isle of May to bring salt for England, which will supply England on easier terms than could be done in any other way; and the same convoy might do for both. Such undertakings have been made when salt was much cheaper than it is now, and have been found beneficial to the Kingdom; and as Dartmouth, which for forty years, until the interruption caused by the present war, had the greatest share of that employment of any port in the Kingdom, has presented at large particular reasons relating to the advantage and benefit of that trade, we express our agreement and concurrence with the same, excepting only that we think Plymouth a more commodious place than Torbay for making up the fleet. In particular we lay stress on the protection of their men from impressment; and we doubt not you will consider all good methods for encouraging the trade. Kings Charles the First and Second, when addressed by such arguments as were then laid down, laid aside in Council anything that might be thought uneasy and burdensome to the same. When Sir Robert Robinson petitioned for a Commission as Governor of Newfoundland, the arguments then adduced shewed how useless, burthensome and troublesome a Governor would be, and their Majesties in Council laid the petition aside, and also added powers to the former patents forbidding inhabitants to build or inhabit houses within six miles of any fishing harbour, with sundry other rules and articles. We now beg that the Council of Trade will order such rules and regulations as will encourage the trade. 5 *pp.* *Endorsed*, Recd. 18 Dec., 1696. [*Board*

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of Trade. Newfoundland, 3. *Nos.* 17, 17 I.; *and* (*enclosure only*) 25. *pp.* 49-54.]

[Dec. 12.] **493.** A list of certain Acts of Massachusetts, passed in the sessions of 1695 and 1696, which were sent to the Solicitor-General on 12 December, 1696. 1 *p.* [*Board of Trade.* New England, 8. *No.* 46; *and* 36. *p.* 92.]

[Dec. 12.] **494.** List of Acts of Jamaica sent to the Solicitor General on 12 December, 1696. Act for quartering the King's soldiers, Act for better government of slaves, Act for speedier collection of quit-rents, etc., Act to collect arrears of levy, Act to pay the debts incurred during the late invasion and to fortify Port Morant, Act to appropriate the additional duty to the revenue. ½ *p. Endorsed,* The Acts read Feb. 4, 1697-8. [*Board of Trade.* Jamaica, 8. *Nos.* 35 *and* 56. *p.* 58.]

[Dec. 12.] Whitehall. **495.** William Popple to William Penn and Fitzjohn Winthrop. After you left the Council of Trade yesterday the Lords reflecting on the importance of the things suggested by you (as has already been done by others) against Governor Fletcher and also against Governor Nicholson have ordered me to acquaint you that they are not only ready, but desirous to receive all manner of proof of that kind which you or any other person can produce, and that a particular account of such accusations as can be made good will be a very acceptable piece of service to them, from what hand soever it comes. [*Board of Trade.* New York, 52. *p.* 51.]

Dec. 12. Whitehall. **496.** William Popple to the Solicitor-General. Forwarding Acts of Massachusetts and Jamaica for his opinion. [*Board of Trade.* Plantations General, 34. *p.* 91.]

Dec. 13. **497.** Petition of Anthony Rowe and others to Lords of Trade and Plantations. We were a Committee of the Assignees of the patent granted to Thomas Neale for all wrecks in and about Bermuda, and accordingly we sent our agents thither. They however were much obstructed by the Governor, Isaac Richier, who put one of them into prison, and deprived another of his ship, and endeavoured to try them both by Court Martial. We beg permission to prosecute Richier in the Courts at Bermuda, and that if he appeal to the King he may be compelled to give the usual security for costs. 1 *p. Endorsed,* Recd. 13 Dec., '96. [*Board of Trade.* Bermuda, 3. *No.* 4.]

Dec. 14. **498.** Computation of the ammunition and warlike stores required for the forts and garrisons in Massachusetts. The list includes twelve guns of position, six mortars, six small field-guns, 500 fusees, and fifty pair of pistols, with ammunition for every one of these weapons. ½ *p. Endorsed,* 14 Dec., 1696. [*Board of Trade.* New England, 8. *No.* 47.]

Dec. 14. **499.** Memorandum of the Lords of the Admiralty. We have considered the matters referred to us by Order in Council of 3 December (*see No.* 459), and report as follows. Such officers as Naval Agents and store-keepers have always been thought needless in the West Indies, all ships sent thither being fitted and stored

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for the voyages, and the Commanders by their instructions authorized to supply them, drawing bills on the Navy Board for the same. As it has lately been ordered that ships in the West Indies shall be relieved yearly there seems less occasion for them than ever. As the Commanders are to provide what relates to the Navy Office, so the pursers are authorized by the Victualling Board (under the Commander's directions) to supply them in what relates to that; and if fresh provisions be thought necessary for the health of the men (as we conceive it will) and can be had there for them we doubt not that the Victualling Board will find out a way to do so without putting the King to the charge of standing officers for the purpose. The Navy Board concurs with us herein. *Signed*, G. Rooke, J. Houblon, W. Bridgeman. *Copy.* 2 *pp. Endorsed*, Recd., and read 7 Jan., 1696-7. [*Board of Trade.* Jamaica, 8. *No.* 36; *and* 56. *pp.* 67-68.]

Dec. 14. **500.** Journal of Council of Trade and Plantations. The Secretary reported that William Partridge had returned to New England. The Agents for Jamaica presented a memorial, but being told that their demand for 1,500 soldiers as indispensable might prove more prejudicial than helpful to their affairs, they withdrew it. Lord Bridgewater gave in letters from Lieutenants Wright, Sydenham and Shanks. Mr. Penn and the Representatives of the Proprietary Colonies attending desired more time to prepare their case, and, having argued against the King's power to erect Admiralty Courts, asked for copy of the Attorney General's opinion thereon, and promised a speedy answer. On the application of the Hudson's Bay Company, the hearing of Mons. de la Forest's witnesses was postponed. Several gentlemen interested in copper-mines and naval stores in New England asked the Board to give that matter early consideration, which the Board resolved to do on the first opportunity. It was also resolved to consider the complaints of Robert Livingston as soon as possible. An order of Council of 10th inst. with a representation from Massachusetts (*see No.* 483) was received and read, also a list of military stores required by that province, and a letter from Governor Fletcher of 22 August. Sir Henry Ashurst desired to substitute a new representative of himself to go to New England to report as to naval stores, and was referred to the Council. Letters from the Mayors of Plymouth and Poole were received (*see Nos.* 479, 492).

Dec. 15. The laws of the Leeward Islands were received, and the Agents were directed to attend on Friday next.

Dec. 16. An Order in Council of 3 December as to pirates (*see No.* 456) was received and letters to the Colonies ordered in accordance therewith. The Representatives of the Proprietary Colonies submitted a paper (*see No.* 506) and it was resolved to submit the whole matter to the King. Lieutenants Shank, Sydenham and Wright attended, when their letters were read, and copies of them ordered to be given to the New York Agents. It was ordered that Messrs. Leisler and Gouverneur should have notice when the complaints against Governor Fletcher should be heard. The Jamaica merchants brought in a memorial, and a representation was ordered to be drawn up thereon. Mr. Blackborne's letter of 18 December was read (*see under that date*).

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Dec. 17. Order for Messrs. Gouverneur and Leisler to bring their evidence in writing, ready sworn to. The Representation as to Admiralty Courts in the Colonies was signed.

Dec. 18. Thomas Neale's memorial read (*see No.* 505). Mr. Cary attended on the subject of the laws of the Leeward Islands, and a representation thereupon was ordered. Two petitions from Gabriel Bernon read (*see under* 18 Dec.); on which he was desired to draw up further proposals in writing. Petition from three Ministers of Maryland read (*see under* 18 Dec.), when it was resolved to represent their desire to the King.

Dec. 19. Copies of several Orders of Council of 3 and 10 December were read, and orders given for communication of the same to the Agents and the Colonies concerned. Three representations were signed. [*Board of Trade.* Journal, 9. *pp.* 278-292.]

Dec. 14. **501.** Minutes of Council of Maryland. Order for the depositions, etc., respecting John Coode to be forthwith dispatched to Sir Edmund Andros. Copy of the letter written to Sir Edmund, dated 15 December (*pp.* 188-189). Agreed that the state of Pennsylvania in the matter of harbouring privateers and runaway seamen be represented to the King, and that the Justices of the Provincial Court and County Courts do also consult and give their opinions thereupon. The law-officers presented a report on the recent Act of Parliament for regulating the plantation trade, and sundry orders were issued for ensuring compliance with the said Act. Order for the ships in the province bound for Europe to meet at the mouth of Patuxent and St. Maries Rivers and sail thence in company to join the Virginia Fleet (*pp.* 200-206).

Dec. 15. Furthers orders as to the sitting of the Courts of Chancery and of the Governor in Council. Any person from the Eastern shore having suits depending in the Provincial Court and in either of the two above-named Courts may have despatch sooner than laid down in the above orders. Order for transfer of certain documents relating to the Collector's Office, to be transferred by George Plater to George Muschamp, to whose district they belong. Order as to the collection of the duty of threepence a hogshead for building of Annapolis Church. Ordered that the sheriffs of the counties may visit any other county on their lawful occasions during the fleet's stay in the country, after which they shall obey the Governor's former order (*pp.* 208-209).

The law-officers reporting that the money paid by Sir E. Andros to Nicholas Greenberry as President of the Council was not legally paid, it was ordered that the sum be refunded. Orders for the vestries to report as to the progress made in the building of churches, and as to certain land said to be given for a church in King and Queen parish. Order for the militia-officers to prepare their men for muster and for inspection by the Governor. Order for Colonel Henry Darnall and George Layfield to give up certain navigation bonds in their custody. In obedience to an order, the law-officers made a report as to the settlement of a question of fees raised, on taking process, by the Secretary, which was to the effect that the Secretary must forego such fees until they be fixed by the legislature. A list of other fees drawn up by the law-officers was

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approved. A petition of the ships'-masters to the Commodore was read, setting forth several reasons why more time should be given to the fleet to complete its loading. Agreed to submit it to the Provincial Court and County Courts for their report thereon (*pp.* 192-199). Ordered that if the fleet be not ready to sail together, they shall be allowed to sail as fast as they are got ready. Order for further prorogation of the Assembly. Order that the rangers shall not be liable to arrest for debt while on service, but that if any of them fail to pay debts claimed of them, application shall be made to the Governor, who will remove the debtor from service and put a substitute in his place. Ordered that, if the grand juries be prevented by bad weather from meeting in January, the Courts shall be adjourned till February, and that the papers respecting Mr. Coode be then read anew and measures taken to calm the people for fear of false reports. In case of riot the *posse comitatus* shall be at once called out and the Governor informed. Philip Clarke dismissed from acting as justice of the Provincial Court. Referred to the law-officers whether John Coode should not be suspended from acting as vestryman of King and Queen parish. Order for the Court of Chancery to sit every two months in future (*pp.* 206-208). In view of the evil consequences resulting from the neglect and remissness of officers, it was ordered that the sheriffs in the first place look well to the discharge of their duties, and to see that other officers discharge theirs also. £20 reward is offered to any one giving information of a coming disturbance. (*pp.* 209-210.)

Dec. 17. Proclamation, offering a reward of £20 for the apprehension of John Coode, and warning all persons against harbouring him. All the persons about town having been gathered at the Court House the Governor and Council went down, and the Governor warned the people against entertaining false reports of the injustice and arbitrariness of the Government. If, he said, any wished to complain to the King against himself he would give them a pass, letters of recommendation and fifty pounds from his own pocket for the expenses of their journey; the King being as ready to hear a beggar's complaint as a rich man's against him. Order for this declaration to be published, and for the sheriffs to report to the Governor any grievances in their counties. Captain Oldston reported that several of his rangers had deserted and obstinately refused to stay in garrison all the winter. It appeared that some mistake had been made as to their pay, so that they could not comply with their credits. The Governor ordered them none the less back to their posts, promising to speak on their behalf to the Assembly. He then gave them ten dollars to drink the King's health at Christmas. (*pp.* 189-191.) *Note. The entries in these minutes are so confused in the matter of date that it is difficult to distinguish to what day the various occurrences should be assigned.* [*Board of Trade.* Maryland, 13. *pp. as cited.*]

Dec. 14. **502.** Minutes of General Assembly of Massachusetts. Order for stating the accounts of the forces, etc., voted and sent down for concurrence. Additional Bill for regulation of ferries read once and sent down. Bill for incorporation of Harvard College read and debated.

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Dec. 15. The Harvard College Bill again read and sent down. Bill for a tax of £9,619 and resolution for appropriation of the same received from the Representatives and read. Vote of the Representatives for opening a Court of Chancery read. Bill to make lands liable to pay debts again read and debated.

Dec. 16. Bill as to ferries again read and ordered to be engrossed. Bill to make lands liable to pay debts passed and enacted. Several bakers were summoned for announcing through the town-crier that they would sell white biscuit at fourpence a pound, contrary to law. On pleading ignorance and begging pardon they were admonished and dismissed. Bill for a tax read a second time and debated.

Dec. 17. Bill for a public fast agreed to by the Representatives and enacted, also the Bill as to ferries. Bill for a tax ordered to be engrossed. Bill for incorporation of Harvard College agreed on.

Dec. 18. Ordered, in concurrence with the Representatives, that, in consequence of the recent supply of the French and Indians with provisions sent from hence to Port Royal on pretence of relieving the inhabitants, all intercourse of trade with Nova Scotia is prohibited. Bill for a tax passed and enacted. Order for stating the wages of officers, seamen and soldiers, to remain in force for twelve months and to the close of the sitting of the General Assembly next after the expiration of those twelve months. Committee appointed to join with a Committee of the Representatives to settle and print the duties of grand-jurors, constables and others, and at the same time to prepare a bill for suppression of certain immoralities complained of by ministers. Bill for a public thanksgiving on 4 February next voted and agreed to. Voted in concurrence with the Representatives that all soldiers under Major Church in the late expedition shall receive according to the computation made in the debentures already granted. Bill to amend the Act as to Tithing-men received from the Representatives and read. Voted in concurrence with the Representatives that £70 be granted to Isaac Addington for extraordinary services.

Dec. 19. The Bill to amend the Act as to Tithing-men passed and enacted. Voted in concurrence with the representatives that remission of £11 arrears be allowed to Dartmouth, and that £40 apiece be paid to the Justices of the Superior Court. The Acts of the Session were published. The Assembly was prorogued to the 17th of February, 1696-7. [*Board of Trade.* New England, 48. *pp.* 108-115.]

Dec. 15. New York. **503.** Council of New York to Lords of Trade and Plantations. The post from Boston with an opportunity of writing to England returns at once, so we can only send a line with duplicate of our last letter. The Government of Pennsylvania being alarmed by the late flight of some of our Indians towards the Susquehannah upon the approach of the French Army to Onandaga, have sent us about £200 sterling towards feeding and clothing the Indians. We have not yet heard from the Governor since he left us. We hope that he is well, and doubt not the safety of the frontier under his conduct. We beg you to obtain for us the various matters requested by the Governor. *Signed*, N. Bayard, Frederyck Flypse, John Laurence, G. Minivelle, S. v. Cortlandt. 1½ *pp. Endorsed*,

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Recd. 3rd. Read 5th April, 1697. [*Board of Trade.* New York, 6. *No.* 80; *and* 52. *pp.* 93, 94.]

Dec. 15. **504.** Minutes of Council of Barbados. Bill as to freedom of elections read and committed. Bill for establishing Agents by the Assembly rejected. Bill for settling the Militia rejected. Additional Bill for quartering of soldiers read and committed. Order for payment of £150 for further supply of the Windward forts.

Dec. 16. The law-officers brought up their opinion that the Council may appoint a judge of Admiralty till the King's pleasure be known. The Council carried a resolution that by the Royal Instructions their consent is necessary to the Governor's appointment of Judges. Order for a new Assembly to be elected. £20 ordered for payment for subsistence of the French prisoners.

Dec. 17. Certain petitions for payments were referred to the Commissioners of fortifications. H.M.S. Newcastle was ordered to cruise and forty soldiers of the King's regiment were sent on board to man her. Four French prisoners were committed to gaol for attempting to escape. [*Board of Trade.* Barbados, 65. *pp.* 171-173.]

Dec. 16. **505.** Memorial of Thomas Neale to the Council of Trade. By patent from the King and Queen I obtained the right to set up a postage in all the Colonies in the West Indies. I have just begun to settle the same, at great expense, and in order to the settling thereof the Assembly of New England sent an Act home for confirmation, which Act was referred first to the Postmasters, upon whose report an Act was drawn. This Act was then submitted to the Attorney-General, who added a clause which made it wholly dependent on the Postmasters here, and by advice of the Council of Trade the New England Act was disallowed. I beg that you will approve of the other Act drawn here, keeping the rates of postage as fixed by the New England Act, that it may go back to New England, the well settling of it tending much to the King's service. Signed, Tho. Neale, 1 *p. Endorsed,* Recd. Read. 18 Dec. 1696. [*Board of Trade.* Plantations General, 4. *No.* 24.]

Dec. 16. **506.** Memorial of the Proprietors and Agents of Carolina, Bahama Islands, Pennsylvania, East and West Jersey and Connecticut, to the Council of Trade. We are advised that in our grants and Charters there are several clauses which import a grant of Admiralty jurisdiction and power of erecting Admiralty Courts with their officers. We have not hitherto erected such Courts nor appointed such officers, because all suits upon breach of the Acts of Navigation may be tried in Common Law Courts, whereas the erecting of Admiralty Courts would have occasioned great expense. We apprehend that there was no need for such Courts except for the condemnation of prizes, few or none of which have been brought into our provinces for trial during the war. We are nevertheless ready and willing to erect such Courts and appoint officers who will be careful of the King's interest, and for the enforcement of the Acts of Navigation. 1 *p. Endorsed,* Recd. and read 16 Dec., 1696. [*America and West Indies.* 601. *No.* 39; *and Board of Trade.* Proprieties, 25. *pp.* 15-16.]

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[Dec. 16.] **507.** Memorial of the merchants of Jamaica. The Island is the most important of the English West Indies, particularly in relation to indigo. Six parishes out of fifteen are already destroyed by the French. The inhabitants able to bear arms have been reduced by forced desertion to 1,390. The number of slaves is 40,000, worth £800,000. 1,500 soldiers are necessary to defend us against the slaves, if they should rise against us. The Island has not been dispeopled by sickness, as commonly reported, and the mortality of the King's forces is not to be attributed to Jamaica, but their recovery. The continuance of the war renders us daily weaker. We pray for speedy and effectual measures to save the Island. ¾ *p.* [*Board of Trade.* Jamaica, 8. *No.* 37.]

Dec. 16. **508.** Memorial of the merchants and planters of Jamaica to the Council of Trade and Plantations. The planters and traders have asked the King to send 1,500 soldiers to Jamaica to encourage the inhabitants to stay there, and you have proposed to send thither some poor weavers and tradesmen, desiring us also to attend and give you our thoughts on the whole question. We offer our opinion as follows. The sending over of such poor tradesmen will be of great use to re-people the Island. We would ask the King to order the payment of £500 for procuring such tradesmen and weavers as could do service on an invasion, to go on ship-board for transportation, whereof a true account shall be kept; and that the King will make public the proposal. Those that are willing to transport themselves should have their passage paid and conveniences for the voyage supplied, and on arrival should have a months' free entertainment and be at liberty to choose their own employment. White men are so scarce that they will easily find employment with good wages, and their employers will not expect laborious work of them but will use them as overseers on the plantations, whereby they may in time rise to wealth and meanwhile will live very comfortably. But we beg the men thus raised may be reckoned among our helps rather than our succours, for two reasons, (1) the desertion of our inhabitants through mere terror of the French, who, without succours from Europe, have destroyed a third of the Island and at present much outnumber us in Hispaniola, both in inhabitants and disciplined soldiers. (2) The merchants are of opinion that the Island has not strength enough to secure their effects, so they will risk neither goods nor shipping. The people cannot subsist on the produce of the Island, and if they could, who would remain there to produce commodities for which they can find neither market nor exportation? We beg therefore that our desperate case may be laid before the King. Nothing but force can repel force in time of war, and we must ask for the whole of the 1,500 soldiers requested by the Governor and Council. *Signed,* John Heathcote, Benj. Way, Willm. Barker, Henry Lowe, Bartho. Gracedieu. *Postscript.* We believe that the two frigates at Jamaica will need 200 men to fill up their complement which, unless they are supplied from hence, must we fear be taken from

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the Island or from the merchant-ships. We beg therefore that supernumeraries may be sent in the ships of war now going. 2 *pp.*
Attached,

508. 1. Further memorial from the same merchants. As to our postscript yesterday, we would like the number 200 altered to 100. Forty or fifty men will probably include all deficiencies for the future, but H.M.S. Reserve not only shared the common calamities of Commodore Wilmot's squadron, but has since been engaged with the Hope, captured by the French. As to the Southampton, we presume that there has been mortality because she arrived in the unhealthy season, which has given the Island an unhealthy character in Europe, though it is known by experience that at other times Jamaica is no more fatal to seamen than Europe. [*Board of Trade.* Jamaica, 8. *Nos.* 38, 38 1.]

[Dec. 16.] **509.** A collection of memoranda of certain papers delivered to the Clerks of the Council on 16 December, 1696, all concerned with an appeal of Jahleel Brenton as to the ship Three Brothers. 9 *pp.* [*Board of Trade.* New England, 8. *No.* 48.]

Dec. 16. **510.** Duplicate copy of Minutes of Council of Maryland from 8 to 16 December. [*America and West Indies.* 557. *No.* 21.]

Dec. 17. **511.** Council of Trade and Plantations to the King. We have already reported to the Lords Justices our opinion as to the expediency of erecting Courts of Admiralty in the Colonies, and the Admiralty on the 19th of November also reported on the subject. Finding that no Commissions of Vice-Admiralty had been granted to any of the Colonies governed by Proprietors or Charter, we ascertained from the Attorney-General that there is no legal objection thereto, and communicated his opinion to the Proprietors and Agents, who, however, seemed unwilling to accept it, and have handed us a paper calling in question your royal right to appoint such courts, which we accordingly leave to your pleasure. *Signed,* J. Bridgewater, Ph. Meadows, Wm. Blathwayt, John Pollexfen, Abr. Hill. [*Board of Trade.* Proprieties, 25. *pp.* 16-17.]

Dec. 17. **512.** Minutes of Council of Massachusetts. Order for payment of £7 11*s.* 0*d.* to Samuel Partrigg for expenses in connection with the trial of four Indians; also for payment of £19 to the Town-Treasurer of Boston for paving about the town-house. [*Board of Trade.* New England, 49. *pp.* 60-61.]

Dec. 17. Whitehall. **513.** William Popple to Jacob Leisler and Abraham Gouverneur. The Lords command me to acquaint you that whatever you intend to produce must be in writing and ready sworn to before a Master in Chancery. [*Board of Trade.* New York, 52. *p.* 53.]

Dec. 18. **514.** Petition of Gabriel Bernon of Boston, New England, to the Commissioners of Trade and Plantations. For eight years past I have been concerned in a plantation called New Oxford, in New England, which was settled by certain Protestant refugees, who were at first supported by the charity of certain gentlemen. Since

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then, at considerable expense to me and by their own labour, the plantation has been much improved and the settlers have paid their taxes, but though during the present war they have often applied for a few soldiers for their defence they have never obtained them. For want of this protection in August last the Indians fell upon the village, burned and destroyed several of the people and forced the rest to fly from their habitations and improvements. I have on behalf of the settlers applied to the Government to be reinforced with a few soldiers, but can obtain no relief. I beg therefore that the distress of these poor people may be recommended to the King, and that the new Governor may be instructed to take them under his protection, that they may not be forced to leave the country, to their utter ruin. 1 *p. Endorsed,* Recd. and read 18 Dec. 1696. [*Board of Trade.* New England, 8. *No.* 49.]

Dec. 18. **515.** Petition of Gabriel Bernon to Commissioners of Trade and Plantations. Having learned of the King's pleasure particularly to encourage the manufacture of rosin, pitch, tar, &c., in New England, in which manufactory I have spent seven years' time and labour and considerable sums of money and have attained such knowledge and perfection that the stores sent over by me were accepted for the King's service, I made a voyage to England on purpose to show in what quantities and how cheaply such stores could be introduced into any of His Majesty's Kingdoms. I now offer my service for the supply of the stores aforesaid, being assured that I can furnish such quantities as are required. 1 *p. Endorsed,* Recd. and read 18 Dec. 1696. [*Board of Trade.* New England, 8. *No.* 50.]

Dec. 18. **516.** Petition of Richard Sewell, Thomas Cockshutt and Stephen Boardley to Lords of Trade and Plantations. That the allowance of £20 allowed to Ministers for their passage to Maryland, which has been stopped through the present defect of money in the Treasury, may be paid them on their arrival in Maryland out of the royal revenues there. 1 *p. Endorsed,* Recd. and read 18 Dec. 1696. [*Board of Trade.* Maryland, 3. *No.* 8; *and* 9. *pp.* 24-25.]

Dec. 18. East India House. **517.** Secretary to the East India Company to William Popple. Forwarding certain documents respecting certain ports in America from which the ships concerned in the late piracies in the Red Sea were set forth. *Signed,* Ro. Blackborne. *Endorsed,* Recd. 18 Dec. 1696; read 30th. *Annexed,*

517. 1. T. South to the Lords Justices of Ireland. Dublin, 15 Aug. 1696. I have this morning obtained the following account:—The best place to send shipping to meet with the pirates is to Fernando, an island in latitude 3° or 4°, where they must touch to water in February or March. The owners of Captain Wake's ship live in Boston, New England, and were going in a brigantine to bring clothes and necessaries to meet him at Fernando; but hearing that we were coming to Providence they followed us thither but did not arrive till after we came away. Thomas Hollingsworth, now sailed from Galway, will meet Wake at Providence,

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where Wake will certainly be within six or eight weeks, or else not till after Christmas. Hollingsworth left money with Governor Trott. Wake had already had a pardon for piracy in King James's time. Thomas Jones is concerned in Captain Want's old barque and lives in Rhode Island. Want is gone to the Persian Gulf and in all probability is either at Rhode Island or Carolina by this time. He broke up there about three years ago after a good voyage, and spent his money there and in Pennsylvania. Captain Tew had a commission from the Governor of New York to cruise against the French. He came out on pretence of loading negroes at Madagascar, but his design was always to go into the seas, having about seventy men on his sloop of sixty tons. He made a voyage three years ago in which his share was £8,000. Want was then his mate. He then went to New England and the Governor would not receive him; then to New York where Governor Fletcher protected him. Colonel Fletcher told Tew he should not come there again unless he brought store of money, and it is said that Tew gave him £300 for his commission. He is gone to make a voyage in the Red Sea, and if he makes his voyage will be back about this time. This is the third time that Tew has gone out, breaking up the first time in New England and the second time in New York. The place that receives them is chiefly Madagascar, where they must touch both going and coming. All the ships that are now out are from New England, except Tew from New York and Want from Carolina. They build their ships in New England, but come out under pretence of trading from island to island. The money they bring in is current there, and the people know very well where they go. One Captain Gough who keeps a mercer's shop at Boston got a good estate in this way. On first coming out they generally go first to the Isle of May for salt, then to Fernando for water, then round the Cape of Good Hope to Madagascar to victual and water and so for Batsky (*sic*), where they wait for the traders between Surat and Mecca and Tuda, who must come at a certain time because of the trade-wind. When they come back they have no place to go to but Providence, Carolina, New York, New England and Rhode Island, where they have all along been kindly received. It is hoped that by means of this information they may be taken. *Signed*, T. South. 1½ *pp.*

517. II. Sir Charles Porter to Robert Blackborne. Dublin, 15 Aug. 1696. Forwarding two depositions for the information of the East India Company. ½ *p.*

517. III. Narrative of Philip Middleton, of the ship Charles Henry, to the Lords Justices of Ireland, given on 4 August, 1696. The ship Charles Henry first plundered three English vessels at the Isle of May

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of provisions only. Nine of their men joined her, mostly West-Country-men. Thence she went to the coast of Guinea, where she took two Danes, from which they took a quantity of elephants' teeth, and divided eight or nine ounces of gold *per* man. Fourteen of the Danish crew joined them. Thence they sailed to Madagascar and Johanna, where twelve French pirates came on board, and afterwards took a French pirating junk (?) with about forty men, who had good booty with them. These also joined them, and made them up to 170, viz., 14 Danes, 52 French, 104 English. From Johanna they sailed to the Red Sea, and heard of two rich ships from Mocha bound to Surat, but passed them in the night, as they learned from a small junk which they took next day. They came up with the smaller vessel, which made little or no resistance, but the great ship fought for two hours, having about 1,300 persons on board. The other had 700. They kept possession of both ships, and all the crew except one man boarded her by turns, taking only provisions, necessaries and treasure, which was very great, but little in comparison with what was on board; for though they put several to the torture they would not confess where the rest of their treasure lay. They took great quantities of jewels, and a saddle and bridle set with rubies designed as a present for the Great Mogul. Several of the Indian women on board were, by their habits and jewels, of better quality than the rest. Having taken these prizes the pirates went to Rajapere for water, and then to Mascarenas, where all the Danes and French were set ashore with their share of booty, amounting to £970 *per* man in value. Thence they sailed to Ascension, where they turned fifty turtle, and found letters of two English ships having been there. This was in March last; and at the latter end of April they arrived at Providence, having but two days' provisions left. They gave Governor Trott a present of twenty pieces-of-eight *per* man besides two chequeenes of gold, on which he allowed them to come on shore, and gave them a treat at his house, at which one of the men broke a drinking glass, and was made to pay eight checqueenes for it. The men also presented the Governor with the ship and all on board her, including some elephants' teeth. The Deputy-Governor, Richard Tallia, shared with Trott in the booty. Here the Captain changed his name from Every to Bridgeman, and went ashore with about eighty men, who dispersed to several ports and bought sloops there. Every and nineteen men [names given] embarked in one of them called the Seaflower, and landed about two months since twenty miles north of Lough Swilly by Londonderry, and thence came by land to Dublin. Every went on to London, another of the leaders stayed at Londonderry. Another sloop

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commanded by Hollingsworth was chased into Dublin by a French privateer. She had sixteen more of the crew of the Charles Henry aboard. Several of the crew went to New England, one to Pennsylvania, two went to Jamaica and returned to Providence, another remained with his booty at Providence, another was killed by a shark, another was seen in Dublin. Trott took several guns out of the ship (which mounted forty-eight) and planted them on a platform for defence against the French. 2 *pp.*

517. iv. Examination of John Dann, mariner, of Rochester, taken on 3 August, 1696. Three years ago I was coxswain on the Soldado prize, and deserted to go on Sir James Houblon's expedition to the West Indies under Don Arthuro Bourne. I went in the Charles to Corunna, where the ship's company mutinied, their pay being eight months in arrear. The men proposed to the master, Captain Every, to carry away the ship, which he agreed to, and they sailed from Corunna on 7 May, 1693, with eighty-five men. The Captain and fifteen or sixteen men who refused to go, were set ashore. The first place we came to was the Isle of May. *Here the narrative abstracted in No.* III. *is given in slightly greater detail up to the time of the ship's arrival at Johanna, Madagascar.* Here we resolved to go to the Red Sea. Here we met with two English privateers, the Dolphin and the Portsmouth Adventure. The Dolphin, Captain Want, was a Spanish bottom with sixty men on board, and had been fitted out at Orkells (? Whorekill), near Philadelphia, having left it two years ago last January. The Portsmouth Adventure had been fitted out at Rhode Island, about the same time; her master was Captain Joseph Faro, and her crew was about the same number as the Dolphin. Both had about six guns. They joined company with us and about June twelvemonth we came to Liparan Island at the mouth of the Red Sea, where three more sail of English came to us, one commanded by Thomas Wake, another, the Pearl, William Mues commander, fitted out at Rhode Island, the Amity, Thomas Tew commander, fitted out at New York. The two first had six guns and about fifty men each, and the Amity from thirty to forty men. They all joined partnership, putting Captain Every in command. After lying there some time they sent a pinnace to Mocha, and took two men who gave them information as to the ships coming down. They then stood out to sea and back to Liparan, where after five or six days the Moors' ships, twenty-five in number, passed them in the night; but hearing of this from a captured ketch they resolved to follow them. The Dolphin being a bad sailer was burned, and the men put on board Captain Every. The Amity fell astern and never came up, Wake's ship also

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lagged but came up later. Steering for Surat we caught up one of the ships which we took after she had fired three shots. She had £50,000 or £60,000 on board in silver and gold. We shortly afterwards spied another ship, mounting forty guns and carrying (as was said) 800 men. She stood a fight of three hours and yielded. We took from her in money and plate enough gold and silver to make up each man's share to £1,000, 180 men sharing in all, the Captain having a double share, and the master a share and a half. The Portsmouth had no share, not having taken part in the fight. The Pearl had a share but this was taken from them again, for when the Charles men changed with them silver for gold it was found that the Pearl's men had clipped the gold; so they gave them only 2,000 pieces-of-eight to buy provisions. Captain Want then sailed into the bay of Persia, the Pearl (I think) went to the coast of Ethiopia, and Wake to an island near Madagascar, intending for the Red Sea the next time the Moors' ships were expected from thence. Captain Every resolved to go straight to Providence. On the way the men mutinied, some being for carrying her to Kiau, belonging to the French near Brazil, but Every withstood it, there not being twenty men left that joined with him when they came to Madagascar, in latitude 21°. There we left as many men as were inclined to stay, and in March or April we came to Providence, anchoring first off Thora Island, and sending a letter to Governor Trott to ask for protection and liberty to go away, which he promised us. We made a collection of twenty pieces-of-eight a man, and forty from the Captain, as present to the Governor, besides elephants' teeth and other things to the value of £1,000. We then left our ship, which the Governor took, with forty-six guns in her, after which we bought a sloop, and Every with about twenty men sailed for England. Twenty-three other men bought another sloop, and sailed under Captain Risby to Carolina. Every and I landed in the north of Ireland at the end of June last, where we parted and Every went to Scotland. I heard that he was in Dublin when I was there, but did not see him. He had spoken of going to Exeter, being a Plymouth man. I obtained a pass from a landing-waiter for myself and seven more to go to Dublin; this man made some effort to detain me, but let us go for three pounds' weight of gold. I hear that he obtained money from the other men also. I then went to London, but was arrested at Rochester, a maid having found my gold quilted up in my jacket. I was brought before the Mayor and committed, but kept my jacket in which were £1,045 in sequins and 10 guineas, which are now in custody of the Mayor. The wife of our quarter-master came home from Providence with us, and I lately saw her at

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St. Alban's. The sloop we came home in was given to Captain Joseph Faro of the Portsmouth Adventure. Captain Risby's men landed somewhere near Galloway. 6½ *pp.* [*Board of Trade.* Plantations General, 4. *Nos.* 25, 25 I.-IV.]

Dec. 19. **518.** Council of Trade and Plantations to the King. We see no reason why the petition of Richard Sewell, Thomas Cockshutt and Stephen Boardley should not be granted. *Signed,* J. Bridgewater, Ph. Meadows, Wm. Blathwayt, Jno. Pollexfen, Abr. Hill. [*Board of Trade.* Maryland, 9. *p.* 25.]

Dec. 19. Whitehall. **519.** Council of Trade and Plantations to the King. The merchants trading to Jamaica have delivered us a memorial (*see No.* 508) on which we would represent that it may be very requisite to encourage tradesmen and labourers to go to Jamaica and to grant £500 for the same, and we would recommend that 100 supernumerary seamen be sent on the men-of-war to complete the crews of those already there, and to save the taking away of inhabitants or of sailors from the merchant-ships. *Signed,* J. Bridgewater, Ph. Meadows, Wm. Blathwayt, Jno. Pollexfen, Abr. Hill. [*Board of Trade.* Jamaica, 56. *pp.* 59-61.]

Dec. 19. **520.** Minutes of Council of Massachusetts. Order appointing John Walley and Ephraim Savage to examine and pay the accounts of seamen, soldiers and other military charges. Order for payment of five shillings a day to each Councillor for their attendance on the General Assembly. Order that the Treasurer refund to the towns from time to time such money as they have paid for destruction of wolves. [*Board of Trade.* New England, 49. *pp.* 61-63.]

Dec. 20. Albany. **521.** Governor Fletcher to the Agents for New York. I have little to add to what I said at my departure from New York. The frights and the daily removal of the people on intelligence of a coming attack by the French obliged me to put myself here for the winter. I embarked on the 10th with a detachment of my own company with extreme difficulty, the wind being north-west and the weather exceeding cold. We got up beyond Ulster but were twice driven ashore by the ice and on the 18th were locked up by it, and so we continued all that day and night. On the 19th I went ashore over a great tract of ice and so walked on foot five miles to a little Dutch town called Pottcoke, where I lodged that night in my clothes with "Dundalk accommodation." Next morning by the assistance of Major Schuyler, whom I met by chance, I got horses and waggons and marched to Kinderhook. Next day, 21st, I reached Greenbush and walked thence over the ice to Albany, to the great appearance of satisfaction in the people. My first business was to send for the River Indians who knocked a party of seven skulking Frenchmen on the head. For their better encouragement I gave them six pounds for each man they killed. They were much pleased, and promised to remain loyal to the King, and to supply me with some scouts this winter to lie upon the great lake. I am now despatching these scouts and some Christians with them. My next care was to despatch a messenger with a belt of wampum to the Five Nations to let them

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know that I am personally here to assist them against the common enemy, and that I expect them to remain firm to the covenant-chain and loyal to the King. Meanwhile I am trying to put their wooden fortifications into the best possible way of defence, and seeing the companies daily exercised at the relief of the guards. I have now thirty men of my own company besides the three companies here. By much importunity I have got twenty-five men from Connecticut as recruits for the companies. The Governor of Canada has this summer received considerable recruits of men and stores, and spits forth his brags that he will be master of Albany this winter. He shall meet the warmest entertainment I can give him. Pray ask about a list of stores which I asked for some time ago. I have no copy by me, but I remember five hundred light Dutch fusils and duffles and blankets for the Five Nations. The French try both to awe and to bribe them, but I am sure that it is for the King's interest to encourage them. Pray endeavour that clothing and pay be sent over for the four companies. The rate of labour makes it difficult to get men. The officers also are under great hardships; they cannot eat and buy a coat out of their subsistence. You know how scarce and dear provisions and clothes are in this country. It seems strange to me that any matter could be found to impeach you of disloyalty to the King. I have been a witness of your zeal and fervour to his service. That "nautious" calumny will blow over of itself; it cannot stick upon you. *Signed*, Ben. Fletcher. 2 *pp.* [*Board of Trade.* New York, 6. *No.* 81; *and* 52. *pp.* 164-168.]

Dec. 20. Albany.

522. Governor Fletcher to the Agents for New York. Since my last some things arrived to my crazy and disturbed head, of which I think fit to mind you both, though I do not question your memories or your diligence in the affairs of this province. The revenue is small, uncertain and dependent upon trade, in which we have suffered great loss. At best it is, I think, but £3,000 a year. The salaries and incidentals of the war, sloop-hire, transportation, presents to the Indians and necessary repairs to our wooden fortifications call for at least twice that sum yearly, so that unless means be found to assist us during the war, I can't see what will become of the province. I have not the Secretary or Clerk of Council nor any books to help my memory, but I offer these things to you as proper to our relief. Connecticut is full of men. It would be better if instead of the hundred and twenty men, which they are ordered to furnish, pay and arm on my application, they were ordered to furnish a hundred men or such number, less than a hundred, as may be required to complete the King's companies, exchanging or relieving them if they desire it. The Jerseys may also very well spare forty men for the frontiers, to be annually relieved if they desire it. Pennsylvania, whose principles do not permit them to contribute to the spilling of blood, might be ordered to pay £400 a year instead of their quota, Maryland £500 a year and Virginia £1,000 a year. This is the best proposal that I can make for the security of the frontier, on which the safety of all depends, and the sums are far less than those formerly required by the Royal command. The money should be paid to the

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Receiver-General of New York, and an exact account of it kept by him and by the Deputy Auditor, that the provinces may see that it is properly expended. You know what construction has been placed on former orders, and how the genuine meaning of them has been wrested by their interpretations to excuse their disobedience; so take care that any orders issued be positive and that they leave no loophole for the provinces to creep out of. We can expect no help from New England, which is sufficiently harassed and has had the fort of Pemaquid taken from it. Rhode Island pays no obedience to any command of the Crown. You well know that the Assembly will not vote money for payment of the men on the frontiers except for a limited time, and such money comes in heavily so that it does not answer the end. Often the men break up and disband before the money is received from the country, which occasions clamour; and the great mischief is that there is no reinforcement to supply the places of those discharged. This being done by Act of Assembly (which is public) our enemies know our weakness at such times, which makes us liable to a surprise. To prevent inconvenience my whole endeavours are to keep up the King's companies by recruits from Connecticut, which will be easier and readier than to expect them from England. I must again remind you of the stores of war for which I formerly made request. We have not flints in this garrison or in New York for an hour's firing, so I beg that two barrels of flints may be sent by the first ships. An Indian is just come in from Onogonge. I send his examination. Mr. Livingston comes upon us with a commission for a salary of £130 a year as Secretary and Agent to the Indians (a place never known here, nor of any use) and £50 as Collector, etc. This amounts to a great sum, especially when we groan under so great a burden. The revenue is no less than two years in debt, and the province much impoverished by the war. This man by false insinuation of his sufferings to the Lords has prevailed upon them to grant these salaries, when you and the Council knew that he has made a considerable fortune by his employment in the Government, never disbursing sixpence but with expectation of twelvepence. Beginning as a little book-keeper, he has screwed himself into one of the most considerable estates in the province. You have the Council's opinion on this head, wherein I concur. I hope you will endeavour to keep a man of such vile principles from sucking any more the blood of the Province, for he has been a very sponge to it. I know I shall be hard pushed at on his score; but if I suffer it is in a righteous cause, for he is known by all men to have neither religion nor morality, his whole thirst being at any rate and by any means to enrich himself. He has said, as I am credibly informed, that he would rather be called knave Livingston than poor Livingston. I protest that my whole interest in urging this matter is the King's service and the good of the province. His salaries, amounting in all to £180, are greater than allowed to the judges or any other officer of this Government. I do not see how they are to be paid, while the war lasts at least, nor of what use the offices are. *Signed*, Ben. Fletcher. 2½ *pp.* *Endorsed*, Recd. 6th. Read 7th July, 1697. *Annexed*,

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522. I. Account of a meeting of Governor Fletcher with the Skachkook River Indians at Albany. 4 December, 1696. The Governor thanked them for their late service in cutting off a body of skulking Frenchmen, gave them six pounds a head for the men killed, and asked them to provide scouts at the Great Lake. He also urged them to settle together in a body, instead of being dispersed, and forbade them to hunt in the direction of New England on account of murders committed there by men of their nation, the New England Government having offered £50 a head for every strange Indian brought in. The Governor then gave them a keg of rum; and the Indians after thanking him promised to give a fuller answer when their sachems should return from hunting. *Copy.* 1½ *pp. Endorsed as the covering letter.*

522. II. Information of two River Indians, taken at Albany, 16 December, 1696. That one of their countrymen lately returned from Canada reported that the French Count would march to Albany this winter with a considerable force and cut it off; and that therefore they were come to give warning. *Copy.* ½ *p. Endorsed as the preceding.*

[*Board of Trade.* New York, 6. *Nos.* 82, 82 I., II.; *and* 52. *pp.* 168-178.]

Dec. 21. **523.** Journal of Council of Trade and Plantations. Petition from the agents of Massachusetts, received and read (*see No.* 525). The merchants of Newfoundland attending were directed to agree among themselves as to certain points concerning the convoys and to bring their decision in writing. The case of Mons. de la Forest and the Hudson's Bay Company was then heard, when the Company again professed that they knew nothing of the Articles of Capitulation, and produced two of their captains, who testified that they had protested against them. They also produced evidence that Mons. d'Iberville had violated the capitulation of 1694; against which Mons. de la Forest produced witnesses to the contrary, who being examined on particular heads would not answer directly. Mons. de la Forest was ordered to give a valuation of the goods referred to by him. [*Board of Trade.* Journal, 9. *pp.* 292-299.]

Dec. 21. **524.** A collection of documents brought forward in the case of Mons. de la Forest's complaint against the Hudson's Bay Company.

524. I. Copy of the instructions given to Captain William Allen for his voyage to Hudson's Bay. 3 *pp. Endorsed,* Recd., read 21 Dec. 1696.

524. II. Articles of Capitulation for the surrender of Fort York to Mons. d'Iberville. $\frac{4}{14}$ October, 1694. 1 *p. Endorsed as the preceding.*

524. III. Deposition of Isaac Woods, surgeon of York Fort, when it was attacked by the French in October, 1694. To the effect that the French violated the capitulation of 1694, by driving several of the garrison into the woods, where they were driven to such extremity that

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they were obliged to eat foxes and foul birds. Deponent himself was obliged to sell some of his instruments for subsistence, though the articles stipulated that the English should be fed like the French. The French officers treated the English shamefully, causing the death of one sick man. The French surgeon robbed deponent of the whole of his instruments. One French officer delivered one of the English to the Indians and looked on while they put fire to his feet and red-hot tobacco-pipes to his fingers; and deponent dressed this man's fingers for him. Further, deponent and fourteen more prisoners were kept under hatches on board ship for a whole month when embarked for France. In Rochelle they were put in the common gaol, and three of the men died of ill-usage in France 3½ *pp. Endorsed as the preceding.*

524. IV. Deposition of William Arnold. Confirming the above statement, and adding that five of the English were harnessed by the French to sleds and forced to draw them through deep snow, in the teeth of a wind so bitter that after every few steps they were obliged to turn and rub their faces lest they should be frost-bitten. Deponent himself was savagely beaten by a French officer, and has not yet recovered the ill-treatment that he received from the French. Deponent confirms the story of the torture of one Englishman by Indians in the presence of a French officer, their ill-treatment in France, and the death of several through ill-usage. 2½ *pp. Endorsed as the preceding.*

524. V. Deposition of James Hubbald, another of the garrison of York Fort who was captured by the French. Confirming the stories in Nos. III. and IV. 3½ *pp. Endorsed as the preceding.*

524. VI. Deposition of John Russell, another of the captured garrison of York Fort. Confirming the previous depositions. 2½ *pp. Endorsed as the preceding.*

524. VII. Deposition of James Griffen, another of the captured garrison of York Fort. To the same effect; adding that the English Governor, Mr. Walsh, declared himself weary of the complaints of the English and went to Port Nelson without speaking any more for them. *Endorsed as the preceding.*

524. VIII. Deposition of Thomas Walsh, Governor of York Fort, and three others. To the effect that, in their belief, Mons. D'Iberville faithfully observed the capitulation of 1694. Deponents while in France were always kindly and civilly used. Copy. 1½ *pp. Endorsed as the preceding.*

524. IX. Deposition of Thomas Walsh. Denying categorically all the statements of previous witnesses as to the ill-treatment of this garrison by the French. 2 *pp. Endorsed as the preceding.* [*Board of Trade.* Hudson's Bay, 2. Nos. 3 I.-IX.]

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Dec. 21. **525.** Petition of the Agents of New England to the Council of Trade and Plantations. Nearly two years ago, by order of the King and Council, we laid before the Committee of Trade and Plantations a memorial of the state of Massachusetts, which has since been referred to you. Therein among other things we represented how great would be the injury to the Colony if such a patent of incorporation as that of Sir Matthew Dudley and Company were passed. A further representation of the sad state of the Colony has also been lately laid before you. We therefore beg that no such patent of incorporation may be passed at least until the return of the Commissioners appointed to report as to naval stores in New England, and that meanwhile you will take the said conditions of the Colony and the means of remedying the same into your serious consideration. *Signed.* Hen. Ashurst, Con. Phipps. 1 *p. Endorsed,* Recd. and read 21 Dec. 1696. [*Board of Trade.* New England, 8. *No.* 51.]

Dec. 21. Albany. **526.** Governor Fletcher to the Agents for New York. My disordered head for my late loss has occasioned a wrong calculation; but my desire is that these Colonies may give such assistance that I may be enabled to keep a constant body of five hundred men here, including the King's three companies as three hundred of the number. By this I may garrison Canestagione and the Half Moon, which will be a cover to all our farms, prevent the inroads of skulking parties, and be a security to Connecticut and to our little towns down to the river. *Signed,* Ben. Fletcher. 1 *p. Endorsed.* Recd. 6th. Read 7th July, 1697. [*Board of Trade.* New York, 6. *No.* 83; *and* 52. *p.* 179.]

Dec. 22. **527.** List of the furs and goods delivered by Governor de la Forest to Captain Allen on the surrender of Fort Bourbon, Hudson's Bay, and not returned. Total value, £14,430. *Signed,* Gabriel de la Forest. 1 *p. Endorsed,* Recd. and read 23 Dec. 1696. [*Board of Trade.* Hudson's Bay, 2. *No.* 4; *and* 3. *pp.* 20-21.]

[Dec. 23.] **528.** Copies of John Murrey's commission from the Queen to be Commissary to the expedition to Hispaniola, dated 16 October, 1694, and of Samuel Lewis's Commission from Sir William Beeston to succeed him, dated 1 Oct. 1695. 2 *pp. Endorsed,* Presented to the Board by Mr. Benjamin Way. [*Board of Trade.* Jamaica, 8. *No.* 39; *and* 56. *pp.* 64-66.]

Dec. 23. London. **529.** Certain traders to Newfoundland to the Council of Trade and Plantations. As to the convoy for the salt-ships designed next year for Newfoundland, we beg that the place of rendezvous for the South Channel ships may not be Kinsale, but we would ask for a convoy on to Lisbon for the London, Poole, Weymouth, Dartmouth and Plymouth ships, for, having consulted some masters of ships, we find that our going to Kinsale may be the overthrow of our voyages, for that, when we are ready, we can sail to Lisbon with winds that will not carry us to Kinsale and may make the voyages as soon. We beg that this convoy may sail by the 20th of January if the wind permit. We ask that the Bristol convoy may see the ships of the North Channel to Lisbon, for, if they should put into Kinsale, it will in all probability ruin our voyages, and that the convoy may

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sail with the first fair wind after the 15th of January next from Milford, where we desire the rendezvous. We beg also that our ships may not be stopped by any embargo, that our men may be free from the press, and that the convoy appointed for the said trade may not stay for any other ship. *Signed*, Simon Cole, Solomon Merrett, Wm. Hamond, Abraham Beake. 1 *p. Endorsed*, Recd. and read 23 Dec. 1696. [*Board of Trade.* Newfoundland, 3. *No.* 18; *and* 25. *pp.* 56-57.]

Dec. 23. Whitehall. **530.** Council of Trade and Plantations to Mr. Secretary Trumbull. Since your being with us we have further considered the business of Newfoundland, and have been attended by merchants concerned in all the ports using that fishery, who seem very positive in their desires contained in the enclosed paper (*see preceding abstract*). We find them also under very great discouragements by the return of the Oxford and Dreadnought, that could not reach Newfoundland, which puts them under apprehensions of having lost St. John's also. So that unless they find their satisfaction in the orders that shall be now given and in the further care that is to be taken, we have reason to look upon that trade, and Newfoundland itself, as lost for the ensuing year. The merchants desire as speedy a resolution as may be. *Signed*, William Blathwayt, John Pollexfen, Abr. Hill. [*Board of Trade.* Newfoundland, 25. *p.* 55.]

Dec. 23. **531.** Journal of Council of Trade and Plantations. The Hudson's Bay Company asked for copies of documents and for further time to complete their defence against Mons. de la Forest, which was granted. The Newfoundland merchants brought in a paper (*see No.* 529), and reported that there was too much reason to fear that the French had taken St. John's and that they would require five, if not six, more ships. The question of soldiers raised the question of a Governor; and the merchants undertook to draw up a paper on the whole matter. The New York agents asking for copies of Mr. Livingston's complaints against Governor Fletcher, the Board ordered all the papers concerning the matter to be laid before them to-morrow. Application was made for the confirmation of Samuel Lewis as Commissary-General in Jamaica. The gentlemen interested in copper-mines and naval stores in New England attending, undertook to draw up proposals in writing.

Dec. 24. Gabriel Bernon's further petition read (*see No.* 533), when general assurances were given him that care would be taken of the Colony. Order in Council of 10 December, repealing certain laws of Massachusetts, received (*see No.* 484) and transmitted to Sir Henry Ashurst. Letter to Secretary Trumbull as to Hudson's Bay written. The Board fixed next Monday for hearing the complaints against Governor Fletcher, and ordered notice to be given to the parties concerned. [*Board of Trade.* Journal, 9. *pp.* 300-307.]

Dec. 24. **532.** Minutes of Council of Massachusetts. Eunice Burt not appearing to answer Richard Burt's petition for divorce, a new warrant was issued for her to appear on the 7th January. [*Board of Trade.* New England, 49. *p.* 63.]

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Dec. 24. **533.** Petition of Gabriel Bernon to Commissioners of Trade and Plantations. About three years ago I came to England and represented that I had applied myself for some time to the manufacture of naval stores. Being the only man that had undertaken that trade I begged for encouragement and protection, but my proposals had not the issue that was expected. If I should set a price upon the goods above mentioned I should be unable to perform it, owing to the ruin of my plantations at New Oxford, and the danger of my establishments elsewhere. I therefore represent how necessary it is that the country, which is ruined in several places, shall receive protection against the French and Indians. I beg therefore for your encouragement as to the said naval stores. 1 *p. Endorsed*, Recd. and read 24 Dec. 1696. [*Board of Trade.* New England, 8. *No.* 52.]

Dec. 24. Whitehall. **534.** Council of Trade to Secretary Trumbull. We have heard the case between Mons. de la Forest and Captain Allen and enclose the depositions; but the Company has asked for further time to bring additional proofs, so we wish to know whether the Governor shall be immediately sent away and whether the Company's evidence shall be communicated to him. *Signed*, Phil. Meadows, Wm. Blathwayt, John Pollexfen, Abr. Hill. [*Board of Trade.* Hudson's Bay, 3. *p.* 22.]

Dec. 28. **535.** Journal of Council of Trade and Plantations. The Secretary reported that the King had delayed the return of Mons. de la Forest until the dispute as to Hudson's Bay should be settled. The merchants of Jamaica attending refused the offer to take eighty malefactors condemned to transportation, because most of them were women, and because persons of bad character were not wanted in Jamaica.

The complaints of Lieutenants Shank, Sydenham and Wright were then read, with the answers thereto, when the confusion was so great that the officers were told to draw up their complaints distinctly, and the hearing was postponed. Order for the Barbados Agents to attend on Wednesday morning. [*Board of Trade.* Journal, 9. *pp.* 307-309.]

[Dec. 28.] **536.** A collection of papers referring to the complaints of Lieutenants Roger Wright, George Sydenham and Matthew Shank, of the King's companies at New York.

536. 1. Information of Lieutenant Roger Wright, laid before the Governor and Council of New York, 9 May, 1696. I have seen the accounts of the money paid by the Treasury for the subsistence of Captain Weems's and Captain Hide's companies. It appeared that full subsistence had been paid from the raising of those companies to the latter end of January, 1694. From the report and murmurings of the two companies I conceive them to be in arrears of that subsistence from the 1st of August, 1694, to the latter end of January, 1694-5, and understand that none of the subsistence has been paid to them in specie, except one Boston shilling to each man. I know also that a petition was laid before the Queen for a supply to those two companies in consideration

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of their good service at sea, upon which petition an order passed, but for what sum I do not know, though the Treasury accounts will shew it. I have no more to say in this respect; but I conceive that, if the said subsistence had been punctually paid to the Companies by the Captains, according to Act of Parliament, the desertion of several men might have been prevented, some of whom perished in the woods. *Copy.* 1 *p.*

536. II. Reply of Captain William Hide to the information of Lieutenant Wright. It is not the fact that my own and Captain Weems's companies were cleared for subsistence to the 10th February, but only to the 29th of January 1694-5, as is sufficiently proved by an abstract received from the Paymaster-General. Lieutenant Wright mutinously asserts that the companies are in arrear from the 1st of August, 1694, to the 10th of February, 1694-5. I answer that the two companies were only cleared for subsistence by the Treasury up to the 29th January, 1694-5, up to which time subsistence has been paid to my own subalterns, staff officers and soldiers. I can show the officers' receipts and the ship-book in proof and that Lieutenant Wright has received £23 5*s.* 0*d.* more than his proper subsistence, as is shewn by the Agents' accounts and under his own hand. Thirdly, Lieutenant Wright positively asserts that a petition was laid before the Queen in Council for a supply to these companies, and that an order was passed for it. In reply I assert that I never heard of any such petition or order, never received a penny nor know of any money paid to any person whatever on that account. I am therefore of opinion that his assertion is false. Fourthly, Lieutenant Wright says that punctual payment of subsistence would have hindered desertion; to which I answer that the subsistence received from time to time for the companies was duly paid to them, as is proved by the victualling book and the officers' receipts. The money received on account of subsistence from the 1st of August, 1694, to the 29th of January, 1694-5 (while at sea) has been laid out on the soldiers in their great necessity, while on ship-board and since their arrival, as my accounts will show. I would mention that Lieutenant Wright has from time to time mutinously discouraged the soldiers of these companies from a cheerful performance of their duty by constant, familiar debauching with them and murmuring, as may be seen by a letter written with his own hand to a private centinel, Stephen White, in his company, discouraging him from his duty, upon which White deserted, and several others followed. I am of opinion that he is the cause of the desertion and mutinous behaviour of the troops since their arrival in the province. *Copy.* 2¼ *pp. Endorsed,* Read 1 Sept. 1696.

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536. III. Report of the Council of New York on the two preceding documents. 11 May, 1696. We find that Captains Hide and Weems have received subsistence from the 1st of Aug., 1694, to the 29th of January and not to the 10th of February, 1694-5, as Lieuenant Wright. We find that victuals to subsist the men were put on board and that the victuals were charged to the Paymaster-General's account. Captain Hide had particular orders not to dispose of the money received from the 1st of August except upon extraordinary necessity; he has not the account ready, being just come from Albany, but will produce it in four or five days. The matter of the petition to the Queen is denied by Captain Hide. We find Captain Hide's accusation of mutinous behaviour against Lieutenant Wright supported by a letter from Wright to Stephen White complaining of hardship and bad quarters, with several dark and doubtful expressions, which tend to evil. We find that Wright has nothing to allege against Captain Hide in relation to the subsistence of the officers, but he still insists that the men should receive theirs in specie, notwithstanding their provision. *Signed*, Nich. Bayard, Fre. Flypse, Caleb Heathcote, Steph. v. Cortlandt, Gab. Minivelle. *Copy.* 2 *pp. Endorsed*, Read 1 Sept., 1696.

536. IV. Account of the disbursement of moneys received by Captain Hide on account of subsistence of his company from 1 August, 1694, to 29 January, 1694-5. 3 *pp. On the back*, A reference of the accounts to the five members of Council, who signed the preceding document, *dated* 21 May, 1696; and a minute from those members that the account should accompany their report. *Endorsed*, Read 1 Sept., 1696.

536. V. Further information of Lieutenant Wright against Captain Hide, before the Council of New York. 21 May, 1696. Captain Hide brings forward his accounts to show that he has disbursed the subsistence-money received by him on necessaries for his company. I conceive that no officer, clerk or agent has power to detain any subsistence from any soldier longer than the Act of Parliament provides, nor to lay out the money in any object than that for which the Crown provided it, without incurring the penalty named in the Act. Yet Captains Hide and Weems have paid only one Boston shilling to each man, and still evade further payment on pretext of the accounts which he shows. I believe this to have caused much desertion. I now appeal to the General Court Martial held at Whitehall, when I will prove that this subsistence-money has not been disbursed according to Act of Parliament, and I beg to be allowed to appear there for the purpose. *Copy.* 1 *p. Endorsed*, Recd. 14th, Read 16th Dec., 1696.

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536. VI. Copy of a letter from Captain Hide to Mr. Edward Southwell. New York. 6 June, 1696. This accompanies Lieutenant Wright's accusation against me of cheating my company out of the Queen's bounty for the good service done in our first engagement at sea, also of mismanaging the money given me on account of subsistence at Plymouth. My answer thereto is annexed, also my accounts for the money and the report of the Council of New York thereon. I hope this will satisfy you that I have not done amiss, having disposed of that money for the best of the service, and that he is a malicious blockhead. For my part I could never suppose that so much money should be sent me upon account and that I should keep it in my hands and see men perishing eleven months on ship-board for want of sick necessaries. My commissioned and staff officers cannot charge me with a groat due to them. The soldiers have been subsisted in provisions both at sea and land to this day, and what money was left in my hands upon account for my private men I disposed of towards their second year's mounting, for truly men cannot live alone upon meat and drink in this country, where the winters are so extremely cold that it is impossible for any European to endure any fatigue or duty without shoes, stockings, shirts and breeches; and it often falls out, by the long distance between this and England and the many miscarriages that happen by the loss and miscarriage of ships and letters, that the soldiers are sometimes in great necessity for want of clothing. Many times their officers, that are with any money or credit, lay out what they have to great disadvantage to cover their nakedness, that the King's service may go forward. But Mr. Wright's opinion is that they should have none of this care taken for them but that the men should receive the money which I received upon account (besides their provisions) in specie, that they might be able to drink rum. I shall not take his example or counsel in anything, being certain that he cannot instruct me in any point of my duty. Now, as to the character of this Lieutenant Wright, I will speak without malice and as favourably as I can. He is a drunken, vicious and inveterate fellow and can take a kicking as patient as a dram of Nantes, which is a cordial at all hours acceptable to him. He is a scandal to the King's commission, so talkative in his cups with all the scoundrels (for none else will keep him company) that he lashes at all without any regard. He was summoned before the committee a few days ago, I suppose after taking a large morning's draught of rum. Some words being moved him from the Council, Mr. Wright puts out his tongue, winks one of his eyes and screws his mouth up to a whistle (which are his customary indecent actions) and says: "Damme, I am "for the King, gentlemen, and you may do what you

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"please, gentlemen, and I know the laws and acts of "Parliament." A letter from Mr. Povey to the Governor being produced on that occasion, Mr. Wright took the freedom to say: "Mr. Povey! S'blood, Mr. Povey! "What's he? Damme, I know him well enough. He "is but a little inconsiderable supernumerary clerk of "the Council." The spark is now at Albany and I am acquainted by a letter from Captain Weems that he is corrupting the new recruits there. He tells them that the Assembly's groat a day added to their pay is but a sham, and that they would never have a penny of it. I think this is discouraging the King's service and the beginning of mutiny. He is an intolerable villain and enough to vitiate a whole army. To write all his scandalous behaviour during the short time I have been acquainted with him, would destroy at least three quires of paper. *Copy.* 2 *pp.* *Endorsed,* Recd. and read 28 Dec. 1696.

536. VII. Information of Lieutenant George Sydenham before the Governor and Council of New York. In the year 1694 two independent companies for New York were raised under command of Captains James Weems and William Hide, for which subsistence was fully paid on embarkation in August. In our voyage on the 5th October we met with three French privateers, who disabled us so that we were forced back to Plymouth. Application being made for supply to enable us to pursue our voyage, subsistence was paid by the Treasury from the 1st of August, 1694 to the latter end of January, 1694-5. Notwithstanding several orders from Mr. Blathwayt to land the two companies, the men were confined on board, where several died. Moreover, in spite of the payment of the subsistence aforesaid I am highly sensible that none of it has been paid to the two companies in specie except one Boston shilling when they landed at Boston. I further certify that since the date of my commission, 16 February, 1693-4, in Captain Weems's Company, I have never received any money on account of subsistence up to the present date of 2 July, 1696. I have also seen a private letter signifying that petition was made for a grant to the forces for their good service, upon which an order for the same was passed. On our return to Plymouth in August, 1694, Dr. Heburde, surgeon to the companies, asked Captain Hide to assist him with money to re-fit for the voyage, which the captain refused; and this was the reason why the said Doctor deserted the service. At the end of January, 1694-5, Captain Hide procured the King's warrant for Dr. Stephen White, who was to have two shillings and sixpence for every soldier at their landing at New York. Dr. White several times applied to Captain Hide for necessaries for the voyage proportionable to the number of soldiers on board, but

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a sufficient quantity was not laid in, which proved to the great loss of the King's soldiers. Moreover, a sum of money was paid for procuring necessaries for the voyage, over and above the subsistence aforesaid. When Dr. White on landing at New York applied to the two captains for the money due to him, and they refused to pay it, it bred such dissatisfaction in Dr. White as to make him desert the service several times, until when sent a prisoner in irons to Albany he very wilfully flung himself overboard and made his escape. If the subsistence money had been paid to the companies as the Act directs, I am of opinion that it would have saved much desertion. *Copy.* 2 *pp.* ***Endorsed,*** Recd. 14th, Read 16th and 28th Dec., 1696.

536. VIII. Captain Hide to Governor Fletcher. New York. 13 July, 1696. Lieutenant Sydenham's information seconds that of Lieutenant Wright. As to the matter of the subsistence received by me at Plymouth, and the bounty ordered for the forces at sea, I have no more to offer than I have already stated in answer to Lieutenant Wright. As to the orders which he says were sent by Mr. Blathwayt for landing the men, no such orders were sent us to Plymouth. I remember one letter from him to Lieutenant-Governor Fowke for landing the sick men of the companies upon St. Nicholas's Island, if there were accommodation, but the Lieutenant-Governor and I discovered that there was none. Moreover it was a bleak, cold place at that time of the year, as the Lieutenant-Governor signified to Mr. Blathwayt. I used every endeavour to have the sick men put into the hospital at Plymouth, but it was not allowed, it being out of their way to accommodate any soldiers but those sent from the grand fleet. Then I had no other shift but to hire an empty house in Plymouth for the sick, and I paid for the same and hired nurses to attend them. They were very well accommodated with fresh beef, mutton, roots, etc., and had apothecaries and chirurgeons to attend them, so that not one man died ashore. The well men on board had also of the same kind of fresh meat, as the victualler of Plymouth can testify. Contrary to Lieutenant Sydenham's opinion, I say that if the well men had been landed they would all have deserted, having endured much sickness and fatigue. As to Mr. Sydenham's complaint that he has received no money on account of subsistence, his captain must answer that. But this I know, that his Captain in my hearing offered him at Albany £30 upon account; when he answered that he did not want money. I am sensible also of this, that he received £10 at Plymouth, which had been paid to Captain Weems on account of subsistence, with orders to lay it out in his company on their extraordinary occasion, and that he turned it all to his own use besides

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£5 more, which was charged to his captain. I was weak ashore after a great fit of sickness at the time and Lieutenant Riggs was much indisposed, but Mr. Sydenham, who had the care of all the men on board, left the ship without any commissioned officer and rambled into the country after his own fancies, taking no leave of the Lieutenant-Governor or myself. Several men deserted from on board on this occasion. About a month later, when he returned again, there was a muster of the regiments at Plymouth, when of his own shallow head he took two or three files of Captain Weems's company and made them fall into the ranks of Norcott's Regiment to help the muster. To gratify him, a lieutenant of that regiment gave him two papist Frenchmen, privateers just out of gaol, for which he charged his captain £4 enlisting money. They are the two Frenchmen whom you ordered from Albany, on suspicion that they intended to desert to the French. Expecting to sail every day I had not time to call him to account at Plymouth for these transgressions, which I am sure are against the Act of Parliament and consequently would mean cashiering to him and disability to serve the Crown of England. As to the desertion of the surgeon, Herbert, he pawned the King's instruments and a pair of the soldiers' ammunition sheets before he went, as I reported to Chirurgeons' Hall, where they were much incensed against him, as I can prove by a letter from Herbert himself. He had a warrant from Chirurgeon's Hall that he was to have two shillings and sixpence a man for his care of them on the voyage to New York, and he was told that he would receive the money on his return, bringing a certificate from the officer of his diligence. As he deserted before the performance of his trust he has no claim for money, and as to paying him money to continue in the service I had no money for the purpose, unless I paid him from the subsistence money, which Lieutenants Wright and Sydenham maintain should be disposed of only by payments to the men in specie. Mr. Sydenham's assertion, that I have given my men no more than a Boston shilling in specie, is most perfidiously false, for I can prove by certificates that I have cleared my commissioned and staff officers in subsistence. I have not only paid my men that shilling in Boston to wash their linen, but laid out £2 10*s.* in ready money for provisions for them, when they were encamped for a day at New York. Colonel van Cortlandt knows this, and Major Schuyler will acknowledge that I have paid him 120 dollars on account for victualling my company, for which I hold his receipt. If this be not paying the men in specie I know not what specie is. Nor do I hear the men complain. They have been subsisted in provisions from their embarkation to this very day; and as to what

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I have laid out upon my company in their extraordinary necessity, I hope my accounts will show that I have expended it to an unavoidable use and occasion. Notwithstanding Lieutenant Sydenham's favourable opinions of the surgeon Herbert, and our loss through his absence, the Lieutenant used to exclaim much against him and often told me that Herbert neglected his duty and called him rogue and rascal, which was a fine complaint from a commission-officer. He was so little a soldier as to think that I could not command him or any of Captain Weems's men on board, and had the confidence to tell me so to my face. But I took him to correction, beating that part of discipline into him, and afterwards kicked him out of the cabin, which he took very patiently. Stephen White, a private man in my company, upon Herbert's desertion, applied to me, saying that he understood chirurgery. He was examined by the King's chief chirurgeon at Plymouth, who sent a certificate of his ability to Chirurgeons' Hall, from whence he received a warrant like Herbert's for the voyage. But this did not discharge him from being a soldier. I supplied him with medicines and instruments by the advice of the King's chirurgeon, who completed me a sufficient chest for the voyage. As soon as we arrived here White asked me how he was to be paid for his trouble, and my answer was that I had no money, but that he must be patient, like others, till we heard from England. He seemed to be well satisfied till a letter from Lieutenant Wright discouraged him from serving the King at Albany, whereupon he deserted and several men with him, almost to the destruction of our Companies, if you had not recruited us. As to what Lieutenant Sydenham says of a supply received to provide the men with such articles as brandy, tobacco, sugar, rice, etc., over and above the subsistence money, he speaks falsely, as can be proved at the Treasury. To expose this Sydenham's cowardice I must acquaint you that he has lately been very well caned and cudgelled at Albany, and that he ran with a pistol in his hand, which he drew out of his coat-pocket, crying "Assault and battery! Assault and battery!" Moreover, his letter to you from Senectady, where he commanded in chief, plainly demonstrates his poor spirit and conduct and mere weakness of sense—that he stood looking over the stockades of the fort beholding all the action, when a party of cowardly, skulking Indians came and scalped and carried away some of the inhabitants—and he dared not send to their relief, nor so much as fire a gun from the fort, when he was near enough and by these means might have rescued them. I'll leave you to judge whether, if he behaved so in any garrison in Europe, he would not go near swinging for it. He brought here with him a cargo of peddling trade, and

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has minded that and handling more than what his commission requires from him. He is so disturbing and factious a man, and so rank a coward, that he is a scandal to all who bear the King's Commission, and beneath any officer to march in one rank with. Besides, it is dangerous and of such evil consequence that it is not for the King's service for him to be entrusted in any manner of command which requires bravery. The man who will take a caning as patient as a pack-horse will never have the courage to vindicate the honour of his King and country. *Copy.* 7½ *pp. Endorsed,* Recd. and read 28 Dec., 1696.

536. IX. Extract from the Minutes of Council of New York, 16 July, 1696. The complaint of Lieutenant Sydenham and Captain Hide's answer were read. Colonel van Cortlandt and Major Schuyler testified to the payments made by Captain Hide for victualling his Company. Lieutenant Sydenham owned that he had been lately caned at Albany, but hoped that the Council would not allow it to be fair for an inferior officer to cane his superior without any reason. Order for a copy of the complaint and answer to be sent to England. *Copy.* 1 *p. Endorsed,* Received and read 28 Dec., 1696.

536. X. Abstract of the grievances of Lieutenant Roger Wright, with the answers of the New York Agents to the same. (1) On landing at Boston Wright wrote to the Governor telling him of the six months' subsistence paid in England for the use of the New York Companies, and warning him of the ill consequences that would attend their not paying it for its proper object. (2) At his landing at New York Lieutenant Wright was told by the Governor that he had received two letters in his behalf from the Dukes of Bolton and of Leeds; also that the Governor understood that the Captains had embezzled the subsistence money and great part of the surplus provisions and that he would not meddle with their concerns. *Answer.* (1, 2) There is only Mr. Wright's word for this. He seems to have been very early with his complaints. It is not likely that the Governor would say that the Captains had embezzled the subsistence till he had examined the matter. (3) The Governor told Lieutenant Wright that he was sorry for him, as he had served in command before, and that he had better have had a halbert in England than come to serve as Lieutenant in New York. *Answer.* (3) The Governor could only have meant that a halbert was as much as Mr. Wright deserved, or referred to the pay, which is much short of English and generally long in arrear. (4) Having no notice to prepare for the frontiers, Lieutenants Wright, Sydenham and Riggs asked the Governor to help them with a little money or credit, but the Governor refused. *Answer.* This can be no charge upon the Governor.

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The Captain should have furnished the money if he had received it. (5.) Mr. Wright being put in command at Senectady applied for supplies of ammunition and stores, but he did not receive them. *Answer.* This is Mr. Wright's bare allegation. The Governor would send soldiers to no garrision without ammunition. (6) Mr. Wright found dissatisfaction among the men on account of hard usage and want of sufficient and good provisions, such as shirts, shoes and stockings, the want of which occasioned much desertion. *Answer.* If by provisions Mr. Wright means victuals, his statement is certainly false. The want of shoes, etc. might be very true and yet not the captain's fault, since the King's allowance might not bear it. Captain Hide gave his company many necessaries which he could only have supplied with the help of the subsistence money granted in England. It will be found that the desertion was due chiefly to Mr. Wright's conduct. (7, 8) Finding the companies much weakened Lieutenant Wright desired to know how the Captain could close the rolls according to Act of Parliament, upon which he was solicited to close the full muster-rolls but refused to close for more than the actual effective men. No musters were made in America, according to the Act. *Answer.* More proof than Mr. Wright's word is wanted. It is certain that the Governor and officers have been at great expense in keeping the companies full. (9) Mr. Wright was forced to subsist upon a private man's allowance for several months, having neither money nor credit allowed him otherwise. *Answer.* Mr. Wright must prove this, or it will be thought that no more of his pay could come to him owing to his debts. (10) The Governor deducted 30 per cent. for the subsistence that Mr. Wright received in England. *Answer.* It is extraordinary that Mr. Wright should not know that this deduction is made by the King and that all submit to it. It is indeed very heavy, and we hope that it may be taken off. (11, 12) Mr. Wright is highly sensible that the detention of the subsistence was the great cause for desertion in the two companies, but his representations thereupon were not heeded by the Governor and Council. The want of encouragement upon his lawful and just complaints obliged him to lay down his command in order to come home to seek justice of the King. *Answer.* The proceedings of the Council and Captain Hide's accounts, showing how the subsistence was disposed of, are to hand and open to inspection. The great occasion of the desertion of the soldiers arose from Mr. Wright's mutinous practices, which can be proved by letters which confirm every part of his behaviour since he came to New York. 3¼ *pp. The complaints and answers are set out in parallel columns. Endorsed,* Recd. and read 28 Dec., 1696.

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536. XI. Copy of Lieutenant Wright's complaints only, without the answers. 2½ *pp.* *Endorsed,* Recd. 14th, read 16th December, 1696.

536. XII. Abstract of the grievances of Lieutenant George Sydenham, with the answers of the New York Agents thereto. (1) At our landing in Boston the two captains marched their men out of town, without paying their soldiers' quarters or signing the landlord's bills according to Act of Parliament. *Answer.* The [Mutiny] Act appears not to apply to parts beyond sea. In any case since the parties on whom the men were quartered made no complaint (since the arrangement was by consent) the affair is no concern of Mr. Sydenham's and is frivolous and impertinent. (2) Captain Weems carried a young lad out of England and sold him slave in New York for £15. *Answer.* It is no novelty to take young lads out to the Colonies for a certain number of years, paying for their passage and other necessaries, and to assign the term to such as are there willing to agree for their service. (3) On the order for March to Albany, Lieutenants Riggs, Sydenham and Wright applied to Governor Fletcher for money or credit, but were refused. *Answer.* The Governor had no money of theirs in his hands. Lieutenant Riggs makes no complaint. The reputation of Lieutenants Sydenham and Wright might verily deter a man from lending them money. (4) In September, 1695, Mr. Sydenham applied to Governor Fletcher for his subsistence, when the Governor ordered Captain Weems to pay him off; but Captain Weems refused to do so. *Answer.* It is neither said nor proved that the Governor was bound to find subsistence for Mr. Sydenham. If Captain Weems had had any of Mr. Sydenham's it is not likely that the Governor would not have enforced his order. (5) On New Year's Day Captain Weems sent Mr. Sydenham a full muster roll for signature; but he refused to sign it, saying that he had never seen so many effective men, and that it was contrary to Act of Parliament. *Answer.* This might well be, since Mr. Sydenham's peddling might make him ignorant how many men there were. If Captain Weems had made false musters he ought to suffer the penalty, but, as no such thing is asserted, this seems rather a calumny than an accusation. (6) At the end of March, 1696, Mr. Sydenham was sent to command the garrison at Senectady, who, finding that the men were without shoes, stockings, shirts or clothes, represented that in such a state the men could not perform the duty assigned to them. Captain Weems only replied that the soldiers had all the clothes that the King allowed them. *Answer.* It must be confessed that in those countries the soldiers are under great hardships from the dearness and scarcity of clothes and the smallness of their pay,

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which is a full third less than in England; but if the soldiers had all the clothes the King allowed them the Captain could not be expected out of his own pocket to provide them with more. (7) Mr. Sydenham represented to the Governor also the want of clothing and of conveniences for boiling the men's provisions. The Governor wrote that clothes were hard to be got, but that he could provide the other necessaries applied for. This was not done. *Answer.* The money voted by the Assembly for the soldiers was expended according to the recommendation of a committee, who were better judges than Mr. Sydenham on what objects it should be spent. (8) Mr. Sydenham reported to the Governor that the Commissioners refused to give to the soldiers the provisions usually allowed, but gave instead thereof money of not half the value, saying that if the men would not take that they should have nothing. The Governor did nothing to remedy these abuses. *Answer.* It has been the constant practice in New York to victual the soldiers by contract rather than pay them money, which they would only spend upon drink to their own starvation. It is incredible that the Governor should have permitted such abuse on the mere assertion of Mr. Sydenham. (9) Mr. Sydenham was forced to live on a centinel's provision for several months, which was very ordinary. *Answer.* The victuals that will support one man may be assured to support another. Mr. Sydenham's merits entitle him to no better diet than the meanest centinel, at a time when no subsistence had been sent from England. (10) When relieved at Senectady Mr. Sydenham obtained leave to come to New York, when finding himself not able to live on such terms he laid an information before the Governor and Council against the two captains; to which the Governor replied that it was not the part of a gentleman to inform against his officers. *Answer.* It seems by Mr. Sydenham's coming to England that he was able to live on those terms. He does not say what information he laid. Had it been material the Council would have given him relief; but since it was nothing but mutinous clamour and frivolous murmurs the answer could hardly have been other than it was. The other three lieutenants at Albany have suffered the same hardships as the three complainants, but they have never joined them nor made complaints. (11) Captain Weems charged Mr. Sydenham with £120 received from the Agent in England, whereas the Agent's accounts show that but £55 was so received. *Answer.* If this be so it is doubtless an error, and it is unquestionable that Mr. Sydenham should not be charged for more than he received; but the matter is insignificant to bring before their Lordships, and if the charge be unjust

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Mr. Sydenham need not allow it. (12) From want of proper food and clothing some of the soldiers drowned themselves, others deserted into the woods, where they lived for days on roots and bark, and those that escaped to towns lost the use of their limbs for weeks. Some were re-taken, tried and shot; yet some deserted a second and third time owing to the hardships that they received. *Answer.* The soldiers did not desert from want of food and wholesome provisions, as Mr. Shanks's complaint can show. Some of the principal causes of desertion were the mismanagement, cowardice, ignorance and folly of such officers as Mr. Sydenham and others, as is shown by Captain Hide's letter to Mr. Edward Southwell, debauching and instilling mutiny into the men and blowing them up with hopes of faring much better in other colonies. If by improvidence, want of knowledge of the Country and strength to travel, some of the soldiers who deserted have perished, others have suffered great hardships, and others have been put to death, they owe it to the teaching of these officers and to their own wilful mistakes. (13) At the raising of the Company Mr. Sydenham spent £40 on the enlisting of fifty recruits. Mr. Blathwayt thought the charge reasonable, but Captain Weems refused to pay it or the money allowed by the King for raising so many men. *Answer.* Mr. Sydenham does not allege that Captain Weems ever received any money for the service which he claims to have done, nor in any case does Captain Weems's refusal concern Governor Fletcher or Captain Hide. Since Captain Weem's answer cannot be had, it is reasonable to believe that, if such expense and refusal have been, the money has been stopped for a like or greater sum converted by Mr. Sydenham to his own use. 3½ *pp. The grievances and answers are set out in parallel columns. Endorsed,* Recd. and read 28 Dec., 1696.

536. XIII. Copy of the grievances of Lieutenant Sydenham alone without the answers. 3 *pp. Endorsed,* Recd. 14th, read 16th Dec., 1696.

536. XIV. Depositions of three soldiers of Captain Weems's company, taken at Albany, 11 August, 1696, that they and seven more were sent on shore at Plymouth by Lieutenant Sydenham, and placed in the ranks of Colonel Northcott's Regiment, to help the muster. *Copy. Inscribed.* The original Captain Weems sends, I believe. *Signed,* W. Hyde. ½ *p. Endorsed,* Recd. and read 28 Dec. 1696.

536. XV. Grievances of Lieutenant Matthew Shank against the Governor and Captains in New York, with the answers of the Agents for New York thereto. (1) Mr. Shank served as first lieutenant in a company of Grenadiers raised for New York. *Answer.* "It is very

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true." (2) The company having done duty in England for several months received and spent their pay in England, and were afterwards transported to New York, where Governor Sloughter died in five months after his arrival. *Answer.* "Not improbable." (3) After him Governor Fletcher came over and brought clearings for the two companies to the first of January, 1691. *Answer.* Likely enough. (4) Governor Fletcher kept the pay in his own hands for ten months after his arrival, and before he would pay Mr. Shank deducted 30 per cent. *Answer.* Governor Fletcher arrived at the end of August, 1692. There was some dispute as to £1,100 received by Governor Sloughter for the two Companies, so that there may have been delay (though it is not acknowledged) until that dispute was settled. The deduction of 30 per cent. was made before Governor Fletcher received the money. (5) Governor Fletcher brought the Companies into debt, which caused much desertion. *Answer.* The victualling of the men and the stoppage for their clothing in England amounts to more than their pay, so no wonder they were brought into debt. (6) Since then the Companies have been kept without subsistence for eighteen months at a time, the place where they are being so poor that they can have no credit, and the Governor takes no care for their subsistence, so that living becomes impossible. *Answer.* This cannot be. No man can live eighteen months without subsistence. That the place is poor is too true, but Mr. Shank's want of credit proceeds from another cause. The Governor has constantly taken care for victualling the troops, and that living is possible becomes evident from the letters of officers living there, and Mr. Shank's own return to make this grievous complaint. (7) Mr. Shank being in want of money applied to Governor Fletcher for the subsistence due to him. The Governor answered that he had no money. Mr. Shank said that if the Governor would draw a bill on the Agent he, Mr. Shank, could have what money he wanted from a merchant in New York. The Governor replied that he would draw no bill, and that if Mr. Shank wanted money one Mr. Honan would advance it, which he was forced to do, and received £20 New York money in return for a bill for £23 sterling. *Answer.* The reason for the Governor's refusal was that he had no money of Mr. Shank's in his hands and that his credit was insufficient. If Mr. Shank made an ill bargain with Mr. Honan it was because he could procure money on no better terms elsewhere. (8) The Governor finding the Companies there would not write to the King for recruits, but that his Majesty would make them up hundreds (*sic*). When the forces arrived they were about half-companies, and there has never been more than one muster returned

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there five or six years that Mr. Shank knew or heard of. *Answer.* That the Governor has from time to time written for recruits will appear by his letters, though many packets have been captured by the French. The musters returned may be found in the office unless prevented by the same misfortune. Mr. Shank is not so well acquainted with the Governor as to know what he does or does not write for. (9) Mr. Shank's Company has received but two mountings in five years; and the consequent want of necessaries has caused much desertion. *Answer.* They have had all that has been sent over for them. (10) An order came from the Governor to the Sheriff of Albany to muster the Companies there, and the sheriff refusing, on the solicitation of the captains, to sign a private muster was turned out of the place, as was verily believed, for no other reason. *Answer.* The Governor has unquestionably taken great pains to keep the Companies full and the Assembly has helped him. Mr. Shank does not give the names of these captains, nor say whether he means all or only two of them, nor whether by a private muster he means a false muster. He positively asserts that the sheriff was turned out of the place for refusing it, and then says that the fact is verily believed. Evidently slander and detraction are more aimed at by this complaint than any pretended wrong. (11) Mr. Shank was forced to subsist upon a centinel's allowance for several months, the said allowance being only bread, beer, pork and pease at five pence a day, New York money. For this hard usage he made application to the Governor for redress, but failing to obtain it was forced to resign his commission and come to England. *Answer.* If Mr. Shank subsisted at five pence a day it shows good husbandry and that consequently he must be a gainer by his commission. Not to be able to live in the same circumstances as other men confesses a great weakness. If the station of a soldier and the dangers and fatigue of war have been too hard for Mr. Shank he has done well to resign, and it is offered that his place is filled by one well satisfied with his post, capable of living by his pay and of discharging his duty. *Copy.* 1½ *pp. The grievances and answers are set out in parallel columns. Endorsed,* Recd. and read 28 Dec., 1696.

536. XVI. Copy of the grievances of Lieutenant Matthew Shank, without the answers. 2 *pp. Endorsed,* Recd. 14th. Read 16th Dec., 1696. [*Board of Trade.* New York, 6. *Nos.* 84 I.-XVI.]

Dec. 28. Whitehall. **537.** William Popple to the Solicitor-General. Forwarding the Acts passed by the Assembly of New York for his inspection and opinion. [*Board of Trade.* New York, 52. *p.* 54.]

[Dec. 28.] **538.** A list of several Acts of the General Assembly of New York from April, 1691, to 25 March, 1696. 5½ *pp. Endorsed,*

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List of Acts sent to Mr. Solicitor-General, 28 Dec., 1696. [*Board of Trade.* New York, 6. *Nos.* 85; *and* 52. *pp.* 54-61].

Dec. 30. **539.** Petition of the subscribers for working mines and producing Naval Stores in New England, to Council of Trade and Plantations. We have made large subscriptions towards the digging of mines and producing of naval stores in New England. The stock to be raised will be so great and the number of persons concerned and employed so many as cannot be orderly managed but under the powers of a Corporation, for which reason we beg to be incorporated. Our charter will not exclude others from producing the same commodities. The King may have the pre-emption of the said commodities, and the Company will be ready to contract, as often as required, with the Navy Board for the supply of naval stores from New England on the usual terms. Such contracts made by the Company will be more for the King's service than a similar contract with private persons, since the Company will always have a sufficient stock for the supply of the said commodities, and will not be liable to accidents or disabilities which often attend private persons. To give assurance of our design to use our stock in producing the said commodities, we are willing for a clause to be inserted in the Charter empowering the King, in case of our neglect or refusal to contract with the Navy Board for supply of naval stores, to cancel our Charter by advice of the Council under the Great Seal, giving time for the Company first to dispose of their effects for equal distribution of the dividend among the shareholders. We have already been at great expense, had many attendances, and spent much time to obtain a charter. Longer delay will much hinder, and speedy dispatch greatly advantage, the undertaking. 1 *p. Endorsed,* Recd. and read, 30 Dec., 1696. [*Board of Trade.* New England, 8. *Nos.* 53; *and* 36. *pp.* 99-101.]

Dec. 30. **540.** Memorial of Barbados merchants to Council of Trade and Plantations. Many of our ships now fitting out for Barbados are but lately arrived in the river, and the great frosts have hindered their equipment for sailing, so that few or none are ready. We beg therefore that the despatch of the convoy may be postponed till the 31st of January. The number of ships will then be about twenty-five sail of two hundred tons each, one with another. *Signed,* Fran. Eyles, Rob. Heysham, Rowland Tryon, Samson Gideon. 1 *p. Endorsed,* Recd. and read, 30 Dec., 1696. [*Board of Trade.* Barbados, 7. *No.* 23.]

Dec. 30. **541.** Journal of Council of Trade and Plantations. Several applications for copies of documents, relating to the complaints against Governor Fletcher, granted. Lord Macclesfield's letter of 9 December read. (*See No.* 477.) Standing Order that the Secretary open all letters addressed to the Board, as soon as they come into his hands. The merchants of Newfoundland asking as to their convoys were told that the business would be considered on Friday. The Barbados merchants presented a memorial (*No.* 540), and urged the expediency of all the convoys to sail together. Ordered that the Agents for the Leeward Islands attend to-morrow on this

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business. The Lords took into consideration the question of presents to Governors, and drew up a list of their present salaries. The gentlemen interested in mines and naval stores in New England presented a memorial. (*See No.* 539.)

Dec. 31. The Secretary reported that the Admiralty informed him that the men-of-war for Virginia were not yet ready. Order for notice to be given to Mons. de la Forest that his business will be considered on Monday next. On the application of Lieutenant Wright the original memorials from him and his brother officers were returned to him. The merchants to the Leeward Islands attended on the subject of convoys, and agreed, after some discourse, that it would be best for the convoys to sail together. Messrs. Leisler and Gouverneur gave in affidavits from two persons as to the elections in New York. (*See Nos.* 543, 544.) A letter from Lord Bellomont announcing his coming to England within two or three weeks was read. A memorial from Mr. Randolph as to the new Governor of the Bahamas was read (*see No.* 542), when he disclaimed any personal exception against Captain Webb. Order for a letter to the Proprietors of the Bahamas reminding them that the Governor should be approved by the King. [*Board of Trade.* Journal, 9. *pp.* 309-316.]

Dec. 31. **542.** Memorial of Edward Randolph to the Council of Trade and Plantations. I understand that the Proprietors of the Bahamas have recalled Mr. Trott, the present Governor, and contrary to the Act for regulating the Plantation Trade have appointed Captain Nicholas Webb to succeed him without previous approval of the King in Council, as required by the Act. Hereby the illegal trade in the Bahamas will be encouraged and supported by the Proprietors' Governors unless they be first duly qualified as the Act directs. I propose that Captain Webb be presented by the Proprietors to you for examination as to his fitness for his appointment and for the King's approval if his Majesty see fit. *Signed,* Edw. Randolph. *Holograph.* 1 *p. Endorsed,* Recd. Read 31 Dec., 1696. [*America and West Indies.* 601. *No.* 40.]

[Dec. 31.] **543.** Deposition of Henry van Bael of New York. Deponent was in the city at the time of the election in May, 1695, when he was sufficiently informed that the freeholders, of whom he is one, were not to enjoy free privilege of election because several soldiers and sailors were to be packed upon the freeholders, and the sailors of H.M.S. Richmond were to be there to deter the people from voting as they liked. For these reasons only he did not go to the place of election, and after it he was sufficiently informed that these things did happen, and that the freeholders had not free votes. Sworn, 21 Dec., 1696. ½ *p. Endorsed,* Recd. 31 Dec., 1696. [*Board of Trade.* New York, 6. *Nos.* 86; *and* 52. *pp.* 64-65.]

[Dec. 31.] **544.** Deposition of Martines Lambris of New York. Deponent was present at the election in New York in May, 1695, when he saw that the inhabitants divided themselves into two parties, one of which began to vote and asked the others why they did not vote. The others replied: "We have not our privileges,

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for there are several sailors and soldiers among you, not freeholders, whom you have clothed in other habits; and besides, if we do vote, the sailors of the King's ship are ready armed with clubs"; which sailors deponent saw himself. So that by these means the inhabitants were forced to lose their right, and went away much discontented. Deponent saw the sailors of the King's ship march with a violin at the head of them, who mocked at the inhabitants who did not vote. The said inhabitants protested then and there that none but freeholders ought to vote, of which right they were debarred by these abuses. The Assembly thus chosen was always looked upon as illegal by the majority of the inhabitants, who continually murmured thereat. Deponent has heard many of them say that they never expected to enjoy their rights under Governor Fletcher but hoped for redress from the King. The said Assembly raised several taxes, and among them a sum to defray the expenses of William Nicolls, who was sent agent to England by the Governor and Council, which the people were unwilling to pay. In Long Island the people cried out much against the oppression under which they lost their privileges, and thought they would not have their rights while the Governor continued. Sworn, 21 Dec., 1696. *Endorsed*, Recd. 31 Dec., 1696. [*Board of Trade.* New York, 6. *Nos.* 87; *and* 52. *pp.* 62-64.]

Dec. 31. Kensington. **545.** Order of the King in Council. That the Proprietors of the Proprietary Colonies be heard in the matter of the memorial and representation on January 7th, as recommended by the Council of Trade in their report of 17 December. *Copy.* 1 *p. Endorsed*, Recd. and read 1 Jan., 1696-7. [*America and West Indies.* 601. *No.* 41; *and Board of Trade.* Proprieties, 25. *p.* 18.]

Dec. 31. Kensington. **546.** Order of the King in Council. For the stores of war in a list annexed to be sent to Barbados, of which the Master-General of the Ordnance shall take notice. *Copy.* 1 *p. Endorsed*, Recd. 18 June, 1697. Read, 6 July. [*Board of Trade.* Barbados, 7. *Nos.* 24; *and* 44 A. *p.* 70.]

Dec. 31. Kensington. **547.** Order of the King in Council. Approving the recommendation of the grant of £500 to encourage emigrants to Jamaica, and referring it to the Council to appoint a fit person to procure and encourage poor tradesmen and others to transport themselves to Jamaica. *Copy.* 1½ *pp.* [*Board of Trade.* Jamaica, 8. *Nos.* 40; *and* 56. *pp.* 83-84.]

Dec. 31. Kensington. **548.** Order of the King in Council. Correcting the preceding order, and directing the £500 to be paid to such person as the Council of Trade shall appoint. 1½ *pp. Endorsed*, Recd. Read, 19 March, 1696-7. [*Board of Trade.* Jamaica, 8. *Nos.* 41; *and* 56. *p.* 84.]

Dec. 31. Kensington. **549.** Orders of the King in Council. Approving six Acts of Montserrat and ten Acts of the General Assembly of the Leeward Islands. *Copies.* 3½ *pp. Endorsed*, Recd. and read, 9 June, 1697. [*Board of Trade.* Leeward Islands, 5. *No.* 21; *and* 45. *pp.* 70-74.]

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Dec. 31. Kensington. **550.** Order of the King in Council. That orders be sent to the Governor of Maryland to pay the allowance to Richard Sewell, Thomas Cockshutt and Stephen Bordley, ministers, according to the prayer of their petition. *Signed*, Wm. Bridgeman. ½ *p. Endorsed*, Recd. 15 Jan. Read 1 Feb., 1696-7. [*Board of Trade.* Maryland, 3. *No.* 9; *and* 9. *p.* 26.]

Dec. 31. Whitehall. **551.** J. Tucker to Mr. Popple. Forwarding extract of a letter from Lord Bellomont, to be laid before the Council of Trade. ½ *p. Annexed,*

551. 1. Extract from a letter of Lord Bellomont to Secretary Trumbull. Dublin, 12 Dec., 1696. I hope in a fortnight or three weeks to kiss your hands in London, and after that to be ready to be dispatched to New England, if the King see fit to send me to that Government. *Copy.* ½ *p. The whole endorsed*, Recd. and read 31 Dec., 1696. [*Board of Trade.* New England, 8. *No.* 54.]

552. A collection of six loose sheets with brief memoranda relating to the distribution of certain New York papers, according to the old arrangement. [*Board of Trade.* New York, 6. *Nos.* 88-93.]

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Jan. 1. **553.** Journal of Council of Trade and Plantations. The Secretary reported that he had written to Mr. Thornburgh, Mr. Nelson and Mr. Hebb, as ordered. He was directed to summon Mr. Thornburgh to attend next Wednesday. Mr. Cole, Mr. Merret and Mr. Usticke attended on the business of Newfoundland, and were informed as to the orders given by the King as to convoys. They named St. Johns, Ferryland and Carbonere as the places that should be fortified in Newfoundland. Order for the Secretary to inform the Mayors of the outports of the orders as to convoys to Newfoundland.

The Jamaica merchants attended, and were informed that the King would grant them £500 to transplant men to Jamaica on their giving security to repay the money if they did not get the men. They answered that they could hardly get men in time to sail by next ships, and that even if they got 200 men with the £500 it was useless for them to go alone or until they had a transport-ship to keep them in. They spoke also of fresh letters from Sir William Beeston of the danger of the Colony owing to the dearth of men, which Mr. Blathwayt corroborated by letters from Sir William to himself. Mr. Way then brought up the question of Commissary Lewis's security in Jamaica, which the Council agreed to leave to Sir William Beeston.

Ordered that the Order in Council of 31 December as to Admiralty Courts in the Colonies be sent to the Agents of the several Proprietors, and a copy to the Secretary of the Treasury. [*Board of Trade.* Journal, 9. *pp.* 316-320.]

Jan. 2. **554.** Copy of a letter from Benjamin Davis of Boston to Edward Hull, merchant, of London. We are in a sad posture for want of a settlement and of help from the King, the French threatening to be on us in the spring. We have had no news from

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Barbados these ten weeks. The last account was that four French ships of seventy guns lay to windward of the Island, and they were all upon their guard; and we hear from Nevis last week that they are still there, intercepting every provision-ship and sending them into Martinique, and that no vessel can come off the Island. Our people are very sorry that the King continues so many petty governments among us, such as Piscataqua and Rhode Island, which if not altered will be a means to ruin this Government. There are such a bloody crew of privateers at Rhode Island that that Government cannot rule them, and the sober men are in fear of their lives. The privateers are daily plundering vessels as they come in, and it is said that unless the King take some present care the privateers will govern the Island. 1 *p. Endorsed*, Recd. Read, 15 April, 1697. [*Board of Trade.* New England, 8. *No.* 55; *and* 36. *pp.* 156-157.]

Jan. 2. Whitehall. **555.** William Popple to the Mayors of Bristol, Barnstaple, Bideford, Exeter, Plymouth, Dartmouth, Weymouth, Poole and Fowey. Your proposals as to the Newfoundland trade have been laid before the Council of Trade. The King on their representation has ordered a fourth-rate frigate to be ready at Plymouth on 20th inst. to convoy the ships from London and the Channel ports to Portugal to lade salt, and thence to Newfoundland. Another frigate will be ready at Milford at the same time to convoy the ships from Bristol, Bideford and Barnstaple. You will receive early information as to convoys for the fishing-ships. [*Board of Trade.* Newfoundland, 25. *p.* 57.]

Jan. 4. **556.** Minutes of Council of Maryland. Petition for trial of a ship for breach of the Acts of Trade referred to the Attorney-General, and Commissioners appointed conditionally to try her. *Here follow* the report of the law-officers and the account of the trial of the ship. [*Board of Trade.* Maryland, 13. *pp.* 213-217.]

Jan. 4. **557.** Minutes of Council of Jamaica. Order for payment of £403 for a fireship bought into the King's service, also that the captain's wages be £10 a month with 15*s.* a week for diet, and the gunner's and boatswain's wages £4 a month with 10*s.* a week for diet, also that the Receiver-General pay the charge of fitting the said ship. Orders for payments for land bought for the King's, for guns, fortifications, and salaries. Two accounts for fortifications passed. Petitions for compensation for the loss of a pressed canoe and for rebate of duty on certain imported negroes granted. Order for the charges for reducing rebellious negroes to be placed to account. The Receiver-General brought up his accounts of the King's revenue. He was then ordered to transfer his balance to the new Receiver-General. The Governor laid before Council an account of Captain Kirkby's disobedience to his orders, and issue of orders to Captain Moses contradictory to those of the Governor. The Council supported the Governor's orders, and agreed that the sooner Captain Kirkby went home the better. The Governor reported that several persons had assembled and drunk King James's health in St. Andrew's parish. Order for the Justice to enquire thereinto. [*Board of Trade.* Jamaica, 79. *pp.* 37-47.]

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Jan. 4. Dartmouth.

558. The Mayor of Dartmouth to Council of Trade and Plantations. I have communicated yours of 2nd inst. to the merchants here, and we all return you thanks. We sent our proposals about the Newfoundland fishery to our representatives in Parliament, Sir Joseph Hern and William Hayne, Esq., and we have written to the former to attend you. *Signed*, Thomas Floud, mayor. ½ *p.* *Endorsed*, Recd. Read, 9 Jan., 1696-7. [*Board of Trade.* Newfoundland, 3. *No.* 20.]

Jan. 4.

559. Journal of Council of Trade and Plantations. Mr. Bridgeman's letter as to the departure of the convoys for the West Indies read. Order for the Agents of Jamaica and the Leeward Islands to attend on Wednesday next.

Major-General Winthrop presented the Attorney General's opinion as to the dispute between Rhode Island and Connecticut as to Narragansett Bay. Order for the records bearing on the question to be searched.

The Lord Keeper sending word that he could attend on Thursday next on the business of Newfoundland, the Secretary was instructed to summon the other great officers of the Council to be present also.

The Deputy Governor of Hudson's Bay and Mons. de la Forest attended with their Counsel, and the case between them was heard. Summary of the arguments of Counsel. The Council agreed as to its representation thereon. The Secretary was instructed to write to the Hudson's Bay Company as to the use to be made of their article relating to the year 1688. [*Board of Trade.* Journal, 9. *pp.* 320-326.]

[Jan. 4.]

560. A collection of depositions and other papers relating to the infringement of the Articles upon the surrender of York Fort, Hudson's Bay, to the French in 1694.

560. 1. Affidavit of Philip Parsons, merchant of Exeter. In 1694 I was Deputy-Governor and Captain of the soldiers in York Fort, Hudson's Bay. Two French men-of-war came before the place, landed 300 men, and besieged the fort, in which were only fifty-three persons. After eighteen days' siege we were obliged to capitulate, and on 4 October we surrendered the fort to the French on honourable terms, of which the following in particular were broken. (1) It was agreed that the besieged should receive provisions and necessaries equal to those supplied to the besiegers. We had not half so much in any kind; often no bread at all for weeks, and sometimes no bread at all except made of malt, which gave the men flux, and was like to have killed many of them, though only one died. (2) The officers and garrison were to have wintered in a house called Fox Hall within the fort, but in two or three days they were dispersed in small parties into the woods to build houses for shelter from the weather, which was then excessive cold, and only four officers and a boy remained in the fort. (3) The besieged were to have kept their arms and all their private goods,

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but the besiegers took away their arms, clothes and bedding, and gave them what they pleased in provisions in lieu thereof. (4) The besieged were to be treated without offence or injury, but many of the men were cruelly beaten by the French, and others had their fingers burned in tobacco-pipes by the Indians. (5) The besieged were to be transported to England by first opportunity; they were taken to Rochelle, where one of them, being unable to travel, was left and has not since been heard of, while the rest of us were conducted to Dinant, where the French detained us contrary to the capitulation for over three months, imprisoned several of the English and dealt with them as prisoners of war. Their usage of them was so cruel that five or six died at Dinant, and on the journey from Rochelle, 180 miles, the French guards refused to provide carriages for the lame and sick, who were obliged to throw away their clothes to make their journey on foot the easier. Shortly after arriving at Dinant I complained to the Commissary of War at St. Malo and sent him copy of the capitulation, who only answered that he would take care shortly to transport us to England, but that the difference about the cartel prevented his doing so at once, pretending that the Prince of Orange would allow no French ships to come from England. I offered to buy a ship at my own charge to transport us, but the Commissary refused, and we were detained as aforesaid. During our detention many of the prisoners were put to great expense, and had I not borrowed £181 from Mr. Abraham Duport of Rochelle I and the rest should probably have perished, the French allowance being very bad and so small as hardly to suffice to sustain nature. Sworn, 26 December, 1696. *Copy.* 3½ *pp. Endorsed,* Recd. Read 4 Jan., 1696-7. Delivered to the Clerks of Council, 16 Feb., 1696-7.

560. II. Deposition of James Hubbald. As to hearing from Henry Pigott and William Clarke of their bad treatment in York Fort, and advising them to make complaint. They answered that they would not speak what they knew to the Hudson's Bay Company, believing that the Company would not gratify them for so doing. Deponent urged that it was their duty, whereupon Pigott answered that he believed that they could give the matter in dispute for or against the Company as they pleased. Sworn, 2 Jan. 1696-7. 1 *p. Endorsed as No.* I.

560. III. Deposition of Mary Davis. To the effect that she had heard from Thomas Jacobs, who was one of the prisoners taken in York Fort, of their ill-treatment by the French in Hudson's Bay, in the voyage to Rochelle and afterwards, as detailed in *No.* I. 2 *pp. Endorsed as No.* I.

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560. iv. Depositions of Michael Grimmington. Confirming the story of Mary Davis, with whom he saw Thomas Jacobs and heard the narrative of his ill-treatment by the French, who even tortured him to make him confess where his books and papers were. Sworn, 2 Jan. 1696-7. 1 *p.* *Same endorsement.*

560. v. Deposition of William Potter, Secretary to the Hudson's Bay Company. The French by seizing our forts, burning our houses and taking our ships have in time of peace done us damage to the amount of £105,000, of which £50,000 was done in 1686 and 1687. Our trading goods in York Fort at the time of its capture cost us £18,000, and the French lived on our provisions and traded with these goods for two years. In 1695 the French returned their receipts at 55,000 skins, being part of that which they have gained with our goods. I was told of the harsh treatment of the prisoners taken by the French in 1694. Some of them are dead, some serving in the King's Navy, and some are gone back to Hudson's Bay, but I believe that of the 53 persons in the Fort not 30 are living, owing to their ill-treatment. Our expedition of 1696 to retake York Fort cost us £15,000, and we have had no returns from the Bay in 1695 or 1696. The skins bought from the Bay this year cost us in customs and expenses £1,500, and the Committee of the Company could sell them all for £7,000. I believe the total damage done to us by the French exceeds £200,000. 1½ *pp.* *Same endorsement.* Entered in *Board of Trade.* Hudson's Bay, 3. *pp.* 27-29.

560. vi. The case of the Hudson's Bay Company of England against the Canada Company of France. The Hudson's Bay Company has suffered much damage by the French in peace as well as in war. In 1682 they invaded our territories at Port Nelson, burned our factories, seized our goods and carried off our servants. Damage reckoned at £25,000. In 1684 they again attempted Port Nelson, doing us damage reckoned at £10,000. In 1685 they took one of our ships; damage reckoned at £5,000. In 1686 they destroyed three of our factories and three of our ships, turning our people, over fifty persons, adrift in an open boat whereby many perished; damage reckoned at £50,000. The Company applied to King Charles II. for relief, who instructed his Ambassador in France accordingly, but meanwhile the Treaty of Neutrality was agreed to in 1686, whereby the Company was excluded. In 1688 the French again attacked our factories, which capitulated after a brave defence; but the French broke the articles, put many of the people on a small vessel with so few provisions that they were obliged to put in to Canada and take service with the French; damage reckoned at £15,000. Lastly they attacked Fort York in 1694, which

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surrendered on terms; but the terms were violated. The King being sensible of the sufferings of the Company ordered two of his frigates to accompany two of the Company's frigates to retake Fort York, when Captain William Allen, a King's officer, signed a pretended treaty with them and took the whole of the furs for himself instead of giving them up to the Company's commander, as his instructions directed him. The furs so encumbered his guns that, meeting with a French ship on the voyage home, Captain Allen's ship was nearly lost and he himself was killed. The King, however, directed the furs to be restored to us. Even if the French had not violated the capitulation of 1694 and Captain Allen's articles had been regular, the Company would still have a claim for reprisals for the damage done by the French in 1688. The French prisoners captured by us have been well treated, whereas our prisoners captured by them were barbarously treated. 4 *pp.* *Same endorsement.*

560. VII. Defence of Mons. de la Forest, addressed to the Council of Trade and Plantations, 4 January, 1696-7. I believe that the justice of my case against the Hudson's Bay Company has been already made evident, but I will add the following remarks. (1) The treaty made by Mons. d'Iberville at the taking of York Fort in 1694 was made not with each particular soldier, but with the Commander, Thomas Walsh, who testifies that it was kept. I do not therefore feel bound to answer the frivolous objections of individuals. (2) It is absurd to contend that Captain Allen had no power by his instructions to make articles of capitulation or that the King would not hold that such capitulation should not be observed. Men who surrender cannot examine whether those who accept their submission have instructions to do so or not. (3) Injuries alleged by the Hudson's Bay Company to have been done before the war have nothing to do with the present affair. Treaties made during hostilities have always been held sacred. (4) None of the Company's witnesses have appeared, to be cross-examined by us. (5) The depositions were very long, yet the witnesses were too illiterate to sign them. It is easy to dictate a story to such men. (6) One of the witnesses was a child when York Fort was taken, and might be influenced by enticements or threats.' (7) Another witness is a surgeon still in the Company's service, whose evidence may well be interested. (8) Being a stranger I am under great disadvantages owing to the absence of many witnesses, and their dread of being ill-treated by the influence of the Company. (9) The whole of their evidence shews nothing but private injuries by man to man. Captain Walsh testifies that Mons. d'Iberville observed the treaty. That some of the men may have

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quarrelled with the French soldiers is likely enough. As to the torturing of Jacobs, if a Commander discovers a conspiracy against him, he is right and it is his duty to take measures for his own preservation. (10) We desire that our witnesses may be examined as to whether they have at any time been tampered with by any of us or by any authorised by us. (11) The Company seems to have little regard to the consequences of the breach of faith which they urge. I beg you to come to a speedy issue, and to discharge us, with our goods and compensation for the damage done to us, from the Plymouth prison to France. *Signed*, De la Forest. 5½ *pp. Same endorsement.* [*Board of Trade.* Hudson's Bay, 2. *No.* 5 I.-VII.]

Jan. 4. Exeter. **561.** Philip Parsons to Mons. Duport. In answer to your two letters take notice that Welch and Jacobs have signed an affidavit with some of our men. In some things I think them impartial, but not in all. Had I made no more application than Mr. Walsh did I could willingly have given my affidavit too, but I must tell you that your letters came too late. I have given my evidence on the other side, though I would not have done it had I not more reason than the rest of them. What I have said is no more than the mere truth, and though Mr. Walsh says that the French did not break their articles he may remember that it would not have cost him, but me, £200, if they had kept them. The Commissary at St. Malo pretended that he would send us home but delayed it, and refused even to let me buy a vessel, for no reason, I presume, but that I did not grease his fist. This is the most material point I have sworn to, and I should be glad for the saddle to be put on the right horse. Had I known you had espoused de la Forest's side I should have held my tongue; and indeed the articles would have been better performed by the French had they sent us immediately to Rochelle instead of giving us up to a couple of villains who took us to Dinant and would have treated us like ordinary prisoners but for your brother. One or two of the men lay in prison all the while and another was left at Rochelle, so you may judge if Mons. d'Iberville gave due orders about us. If he did I must blame the Commissary who, I am apt to believe, was most in fault. Mr. Walsh saw the letter—nay it was directed to him—wherein he promised to send us home in a little time, but was no better than I have already said. I wish with all my heart that if M. de la Forest does suffer he could gain satisfaction from the Commissary. I would give him my affidavit that what I have said is the truth. It was much more my interest that M. de la Forest should obtain some satisfaction, for then I might expect some amends for my expenses. If your letter had reached me first I should have left undone what I have done, and I should have sent you an impartial affidavit in M. de la Forest's favour, as this is that I now send. I hope that, if I am called to London, as I fear that I shall be, it will appear to be so. *Copy.* 1½ *pp. Endorsed*, Recd. Read, 11 Jan., 1696-7. [*Board of Trade.* Hudson's Bay, 2. *No.* 6; *and* 8. *pp.* 33-35.]

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Jan. 4. Admiralty Office. **562.** William Bridgeman to William Popple. The King last night ordered that the convoys bound to Jamaica and the Leeward Islands should proceed forthwith on their voyages with the merchant ships now ready bound thither, also that an hundred seamen should be sent by the convoy to Jamaica for supply of his Majesty's ships at that island. *Signed*, Wm. Bridgeman. ½ *p. Endorsed*, Recd. Read 4 Jan., 1696-7. [*Board of Trade.* Plantations General, 4. *No.* 26.]

Jan. 5. Whitehall. **563.** William Popple to the Hudson's Bay Company. Asking if they wish the complaints, embodied in their case, against the French for their aggression in 1688 to be used in the Council of Trade's report on their case, for their defence and for a motive of present reprisals. [*Board of Trade.* Hudson's Bay, 3. *pp.* 30-31.]

Jan. 5. **564.** Minutes of Council of Barbados. The members of the new Assembly were returned and sworn. Two doubtful elections were returned to the Assembly for determination. Thomas Maxwell was presented and approved as speaker.

Jan. 6. Ordered that for the future no Colonel of Militia be made judge in the precinct wherein his regiment lies. Four new justices were added to the Commission of the Peace. The Assembly came in and having decided the two dubious elections returned four members who were sworn. [*Board of Trade.* Barbados, 65. *pp.* 174-176.]

Jan. 6. **565.** Journal of Council of Trade and Plantations. The Agents and Merchants of the Leeward Islands attended and reported as to the readiness of their ships to sail. Mr. Cary asked that the laws of the Leeward Islands should be sent to the Clerks of Council for the royal confirmation, and order was given accordingly.

The Secretary produced a letter to Mons. de la Forest, signed Hebert (*No.* 568), and was ordered to write to the Commissioners of Sick and Wounded as to the M. de Lagny therein mentioned.

Mr. Thornburgh attended on the business of the Bahama Islands, and promised to see that Governor Webb gave the security required on assuming the government.

The Jamaica merchants attended, and said that they had already seen Mr. Bridgeman, and given information as to their convoy. They reported that they had as yet been able to do little in the matter of obtaining men to transport to Jamaica, and doubted whether in the present scarcity of money £500 could be had so soon from the Treasury. The Council suggested that there was a larger sum lying ready at Jamaica which might be assigned them; but the merchants in reply doubted whether they could find anyone willing to advance the money here. They then delivered copy of an order of Captain Kirkby, to shew the little respect shewn by Captains of the Royal Navy to the King's Governors. The Secretary was instructed to ascertain whether the two fire-ships appointed to go with the convoy were ready.

Jan. 7. A report from the Admiralty about a naval officer and fresh provisions for the seamen of the King's navy at Jamaica was read. The Council, considering the state of Jamaica and the preparation of a squadron at Brest, agreed that it may be proper to represent to

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the King that a squadron from hence might be useful in acting offensively even if the Brest squadron should not proceed.

The business of Newfoundland was then considered, and the heads of a representation agreed upon.

The Agents of New York attended on the business of the Indians at Plymouth. They then delivered a memorial of several matters required at New York, and received notice of the matters brought forward by Mr. Leisler and Mr. Gouverneur.

The Barbados Agents were warned to attend to-morrow.

Mr. Shadrach Walton presented his petition (*No.* 570) which the Council resolved to consider, together with the whole state of New Hampshire.

Jan. 8. The Secretary communicated extract of a letter from Mons. de Lagny (*No.* 573). Order for copies to be sent to Mr. Tucker and the Hudson's Bay Company. Letter from Mr. Potter, of this day's date read (*No.* 574). Resolved that the representation as to Hudson's Bay be prepared to-morrow.

Mr. Bridgeman's letter of 6 January as to fire-ships for Jamaica read.

Order for a letter to be written to Mr. Bridgeman as to the Barbados convoy (*see No.* 575). Mr. Bridges attended and gave information as to the convoy, but doubted whether the stores ordered by the king would be ready in time enough. The Secretary was ordered to write to the Board of Ordnance on the subject.

Jacob Leisler, Abraham Gouverneur and the three lieutenants from New York attended. The two former were directed to put their complaints in writing and the three latter to re-write their complaints in due form, so that they may be submitted to Governor Fletcher's Agents.

The Council then considered of a treaty of commerce with France.

Jan. 9. The Secretary reported that he had sent the laws of the Leeward Islands to the Privy Council Office, and had addressed Mr. Tucker and Mr. Vernon for papers relating to a treaty with commerce.

Letter from the Mayor of Dartmouth of 4th inst. as to Newfoundland read (*No.* 558).

Mr. Bridgeman's letter of this day as to the West Indian convoys read.

On a letter from a Clerk of the Council, summonses were issued for the hearing of the cause respecting erection of Admiralty Courts in the Plantations on Thursday next. [*Board of Trade.* Journal, 9. *pp.* 327-340.]

Jan. 6. Admiralty. **566.** William Bridgeman to William Popple. In reply to your letter of this day, one of the fireships intended for Jamaica is already in the Downs, and the other is in the river taking in her stores, from whence she will sail in two or three days to the Nore to be manned and thence to the Downs. *Signed,* Wm. Bridgeman. ½ *p. Endorsed,* Recd., 7th, read, 8th Jan., 1696-7. [*Board of Trade.* Jamaica, 8. *No.* 42; *and* 56. *p.* 68.]

Jan. 6. Admiralty. **567.** Report of the Lords of the Admiralty. On the proposal of the Council of Trade that the inconveniences arising from the impressment of seamen in the Colonies may be avoided by

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sending out supernumerary seamen in the merchant-ships, we directed the Navy Board to consult several of the masters of merchant-ships bound to the Plantations. Their report is annexed, from which it will be seen that so far from carrying these seamen gratis, they not only refuse to victual them, but insist upon forty shillings a head for their freight. This will be an extraordinary charge and will otherwise be inconvenient, for the men, being pressed men, will desert the merchant-ships at the first opportunity, whereby the service abroad will receive no benefit. We are therefore not in favour of the scheme. *Signed*, E. Russell, R. Rich, G. Rooke, J. Houblon, J. Kendall. *Copy.* 1 *p. Annexed,*

567. 1. The Navy Board to the Admiralty, 18 December, 1696. We send the answer from the masters of six ships whom we have asked for their terms for carrying out seamen for the King's ships in the West Indies. *Here follows copy of the answer*, stating that the masters will transport the soldiers (*sic*) if provisions and necessaries are put on board for them, and forty shillings a head be paid for them. *Copy.* 1 *p. The whole endorsed*, Recd. 22, read 23 Jan., 1696-7. [*Board of Trade.* Jamaica, 8. *Nos.* 43, 43 1.; *and* 56. *pp.* 69-70.]

[Jan. 6.] **568.** Copy of a letter from Mons. A. Hebert to Mons. de la Forest. Paris, 31 December, 1696. As soon as I received your letter I sent M. de Lagny his packet, who says that it has arrived very opportunely, having had no answer from the English Commissioners as to reparation for the treacherous violation of the capitulation of Fort Bourbon. He was ready to begin reprisals on the English now in France and is sending all the papers to Versailles for orders, of which, it seems, he will give you information by first opportunity. I shall wait upon him frequently, to see that he follows the matter up closely. *French.* ½ *p. Endorsed*, Recd. Read, 6 Jan., 1696-7. [*Board of Trade.* Hudson's Bay, 2. *No.* 7.]

[Jan. 7.] **569.** Memorial of the Hudson's Bay Company. The Company has represented the usefulness of their trade to the Kingdom and that if it were destroyed, the French would be sole masters of the fur-trade in America, which, besides the loss of export of English manufactures, would raise the price of furs to four times the Company's rate. Thus beaver was sold for 40*s. per lb.* which, the Company now sells at 7*s.* or less. The French have made many attempts to ruin the Company by unprovoked attacks in time of peace. Almost every year in succession since 1680 they have with an armed force seized its forts, burned its ships, carried off its goods, and by detaining its servants here forced them to renounce their religion, to say nothing of great barbarities already narrated elsewhere. Altogether the Company's loss is reckoned at £200,000, and in the late reign the King promised relief; but during the negotiation by the interest of the Jesuits (who have the sole benefit of the beaver-trade in France) a secret Treaty of Neutrality was concluded in London, whereby the Company's demands were excluded. Yet notwithstanding this Treaty the French in 1687 and 1688 committed if possible worse aggression

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than before, which was one of the grounds on which the present King declared war. In 1694 the French attacked York Fort, which surrendered upon articles which, by the oath of the Deputy-Governor and five other persons, were perfidiously violated. It is proved that of 53 persons in the fort only 30 survived the ill-treatment of the French; yet nothing is offered against this but the equivocating affidavit of four persons who have espoused the French interest against that of their own country. The retaking of the fort in 1696 cost the Company £15,000. It has had no returns for two years, nor can hope for any for another year. The little that it has is but the remaining product of its own goods. The French made 55,000 beaver skins by trading with our goods in 1695, and they know that if they can deprive the Company of these goods they can deal it an irrecoverable wound. Captain Allen plainly assumed a power not entrusted to him nor intended for him, and he has justly suffered for it; but the Company has never done the least injury to the French, and the French have in writing acknowledged its civilities to them. The Company is advised and insists that by its legal following of the King's grant, and by the frequent breaches of faith on the part of the French, it is justly entitled to their goods, which do not amount to a fortieth part of what the French have taken from them. If the French think to gain their demands in such a case as this, they may just as well demand the Company's charter. 2 *pp.* *Somewhat damaged.* *Endorsed,* Sent to W[illiam] P[opple] under a blank cover. Recd. 7 Jan. 1696-7. [*Board of Trade.* Hudson's Bay, ' 2. *No.* 8.]

Jan. 7. **570.** Petition of Shadrach Walton to Council of Trade and Plantations. For four years past I have been commander of Fort William and Mary at Newcastle in Piscataqua River, wherein are thirty-two guns and no want of stores. But there are few or no men to defend it, because they are forced to be on out-garrisons, watching the Indians, by which fatigue besides the fear and hazard of the French, the Government without some speedy assistance will be ruined and lost. In the greatest necessity not above forty or fifty men can be got in four hours' time for defence of the fort and town, and there is advice that the French will attack it next spring, as they designed last spring, but were then prevented. Three years before, I commanded a company against the Indians, and was always in action in the out-posts of the country, for which I received no pay nor encouragement, though I was wounded several times to my own great expense for cure. I spent most of my estate in the service of these parts, and am now, by the Governor's advice, come home at my own expense to lay the above before you. I beg that men may be sent to man the fort, that I may have a Commission to command the fort and the town and militia, and that I may have some allowance for my expenses. ½ *p.* *Endorsed,* Recd. Read, 7 Jan., 1696-7. [*Board of Trade.* New England, 8. *No.* 56.]

Jan. 7. **571.** Extract of a letter from John Taylor. Having the contract to supply the navy with masts, etc., from New England, I think it my duty to acquaint you that the last ships bring accounts

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of great danger hanging over New Hampshire owing to the inability of the inhabitants to defend themselves against the Indians, who are joined by the French. It is by this province that the King is supplied with masts, etc., and this trade will certainly be lost unless soldiers are sent out there this spring and placed under command of some person experienced in Indian fighting. The colony was attacked this summer by the French, whose design was upon Piscataqua, where the masts were loaden, but they were prevented by the seasonable arrival of the mast-ships with their convoy, otherwise the masts had been destroyed for want of men to use the guns which are planted in a good fort towards the sea. Pray represent this to the King. 1 *p. Endorsed*, Enclosed in Mr. Tucker's letter of 11th and read, 14 Jan. 1696-7. [*Board of Trade.* New England, 8. *No.* 57.]

Jan. 7. **572.** Memorial of the Agents for New York to Council of Trade and Plantations. We were sent by the Governor, Council and Assembly to represent to you the state of the country, and to ask for further assistance against the French, and accordingly we have made several proposals for that purpose, whereupon divers orders have been given by you for strengthening New York against the French. But no directions have yet been given on the following heads, viz.:—(1) That clothes and necessaries may be yearly sent over as presents to the Five Nations to encourage them against the French. (2) That the garrison of Albany and the adjacent posts be increased to one thousand men. (3) That a regular fort may be built at Albany at the King's charge and other fortifications at Senectady, Canestagione, the Half-moon, the Mill and the Flats. (4) That a strong fort and a good settlement may be erected in some convenient place near the Lakes. (5) That orders may be given for a yearly recruit of men and stores during the war. (6) That some hardy youths of good natural parts and well understanding grammar may be sent over to reside among the Indians and learn their language. (7) That some English clergy may be encouraged to dwell some time among the Indians to endeavour their conversion to the Protestant religion. (8) That the pay of the King's soldiers may be increased to sterling money. *Signed*, Chid. Brooke; W. Nicoll. [*Board of Trade.* New York, 7. *No.* 1; *and* 52. *pp.* 66, 67.]

[Jan. 8.] **573.** Extract from a letter from M. de Lagny to the Commissioners for the Exchange of Prisoners. Paris, January, 1697. We have information from some of the French who were at Fort Bourbon in Hudson's Bay, when it was recaptured by the English some months ago, that M. de la Forest and his garrison had agreed to capitulate with the honours of war and on condition that they should be conducted to Placentia, but that nevertheless the English had detained the two guns allowed to them, carried M. de la Forest and his garrison to England and plundered them of all their effects and merchandise. I am to demand satisfaction for this iniquitous proceeding, and for the restoration of the guns and other goods. *French.* ¾ *p. Endorsed*, Recd. Read, 8 Jan. 1696-7. [*Board of Trade.* Hudson's Bay, 2. *No.* 9; *and* 3. *pp.* 32-33.]

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Jan. 8. Hudson's Bay House.

574. Secretary of the Hudson's Bay Company to William Popple. I was ordered by my committee to send you a state of the Hudson's Bay Company (*see No.* 569) and hope that you received it yesterday. The Company desires that it may be read at the next Board, and hopes that it will give the Council of Trade all the satisfaction imaginable, for there is nothing but the truth therein. Kindly let me know when your representation will be ready that the Company may have a sight thereof. *Signed*, Wm. Potter. ½ *p. Endorsed*, Recd. Read, 8 Jan. 1696-7. [*Board of Trade.* Hudson's Bay, 2. *No.* 10.]

Jan. 8. Whitehall.

575. William Popple to William Bridgeman. The Council of Trade has received your letter of 4th inst. (*No.* 562) respecting the convoys to Jamaica and the Leeward Islands, and conceives it to be intended that they may hasten the merchants to have their ships ready for those parts. There is, however, no mention of the Barbados convoy, which leaves it uncertain whether the several convoys to Jamaica, Barbados and the Leeward Islands are to sail together or apart. I am therefore to ask what are the resolutions of the Admiralty herein, that the merchants may receive instructions accordingly, and whether any additional convoy be intended beyond the number of ships directed by the Order in Council of 22 October, 1696. [*Board of Trade.* Barbados, 44. *p.* 41.]

Jan. 9. St. James's.

576. J. Pulteney to William Popple. Yours of the 8th was laid before the Board of Ordnance this morning. The stores are provided and engineers are appointed for Barbados as for other places, according to the Orders in Council, and will be ready to go as soon as we can get money from the Treasury to equip them for their respective voyages. The Master General will take care that an able Master-Gunner be sent to Barbados. *Signed*, J. Pulteney. ½ *p. Endorsed*, Recd. Read, 11 Jan., 1696-7. [*Board of Trade.* Barbados, 7. *No.* 25; *and* 44. *pp.* 42-43.]

Jan. 9. Admiralty Office.

577. William Bridgeman to William Popple. In reply to your letter of yesterday I am to inform you that, pursuant to the King's orders, all such of the convoy bound to Barbados, Jamaica and the Leeward Islands as are ready to sail shall now proceed thither with the merchant-ships that are ready to go with them and shall be strengthened by the addition of some other men-of-war. The rest of the trade which may happen to be left behind will be convoyed by their proper convoy to be appointed for them. *Signed*, Wm. Bridgeman. ¾ *p.* [*Board of Trade.* Plantations General, 4. *No.* 27; *and Board of Trade.* Barbados, 44. *p.* 42.]

Jan. 9. Bristol.

578. The Mayor of Bristol to William Popple. The merchants here thank you for your letter of the 2nd inst. Our ships shall be ready by the appointed time. I am requested to ask you to lay before the Council of Trade the condition of Newfoundland, where our merchants have suffered so great losses, and that they will think of a way to protect the inhabitants and the ships. *Signed*, John Hine, Mayor. ½ *p. Endorsed*, Recd. Read, 11 Jan., 1696-7. [*Board of Trade.* Newfoundland, 3. *No.* 21.]

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Jan. 11. **579.** Journal of Council of Trade and Plantations. Mr. Pulteney's letter of 9th inst. as to stores for Barbados read (*No.* 576). This letter and Mr. Bridgeman's of the 9th inst. were communicated to the Barbados merchants who were in attendance.

A letter from Mr. Parsons, late Governor of York Fort, Hudson's Bay, was read, tending to lessen the strength of his own former affidavit. The report on the whole affair of Hudson's Bay was agreed on, and the various parties were told that they might call upon the Secretary for a sight of it.

Mr. John Hine's letter of the 9th read, as to Newfoundland.

The Treaty of Commerce considered. [*Board of Trade.* Journal, 9. *pp.* 341-343.]

Jan. 12. Bideford. **580.** Richard Usticke to William Popple. I have written the melancholy story of the loss of Newfoundland by this post to Mr. Blathwayt. The merchants beg that all letters relating to their concerns may be addressed to me, to whom they all come daily on business. The reason is, that your last letter to the Mayor was never communicated to the merchants, nor did they know that he had received it until they heard that the Mayor of Exeter had received the like letter, "when our worshipful confessed—but it was mislaid. Luna at times is a little predominant, the more the pity, as he is unconcerned in the adventuring trade." *Signed,* Richd. Usticke. 1 *p.* [*Board of Trade.* Newfoundland, 3. *No.* 22.]

Jan. 12. **581.** Minutes of Council of Barbados. Charles Collins appointed Chief Judge of St. Michael's Precinct Court in lieu of Robert Bishop, displaced on account of bodily infirmity, of his being appointed without consent of Council and of his holding a Commission in Major Garth's regiment. John Hooker also was made Judge of Hole Precinct Court in place of Jonathan Langley, removed for neglect of duty, lack of experience, improper appointment, and because he holds a commission in Garth's regiment. John Maddock and Colonel Waterman appointed Judges for Speightstown and Scotland respectively.

Jan. 13. Captain Julius of H.M. ship Virgin (prize) asked for leave to go to Antigua to make good defects, and for money to pay for the same. Leave was granted, and the Treasurer was ordered to lend him £30. Two small accounts for disbursements on the public service passed. [*Board of Trade.* Barbados, 65. *pp.* 176-178.]

Jan. 13. **582.** Journal of Council of Trade and Plantations. The Secretary reporting that the Hudson's Bay Company objected to the representation in the matter, it was ordered that the report be reviewed and enlarged, according to the paper presented by the Secretary of the Company. (*No.* 584.)

The Agents of the Leeward Islands presented a memorial as to St. Christophers (*No.* 585) which was ordered to be sent to Mr. Secretary Trumbull.

Mr. Thornburgh attended together with Captain Webb, by order of the Proprietors of the Bahamas. The Council on their withdrawing made several enquiries of them, of which they could not

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answer all for want of instructions. The Secretary was therefore instructed to send them the queries in writing.

Jan. 14. The Secretary's letter of this date giving the queries of the Council as to the Bahamas was read and despatched. (*See No.* 588.)

Mr. Cole and Mr. Merret presented copies of several documents (*No.* 586) relating to Newfoundland, and desired that speedy measures might be taken for the re-establishment of that trade. A representation on the subject was agreed upon and signed.

Mr. Clark, Governor of the Hudson's Bay Company, proposed some alterations in the Council's report. The Council assured him that it should be done with all possible fairness. The Secretary was ordered to write to the Hudson's Bay Company to ascertain what places of theirs the French have taken during or before the present war. A copy of M. de Lagny's last letter and a letter concerning the danger to New England from French and Indians were deferred for further consideration.

Jan. 15. In view of the pressure of business the Council resolved to distribute it as follows: the business of Virginia and Maryland to Sir Philip Meadows; that of Barbados, Jamaica and the Leeward Islands to Mr. Blathwayt, or in his absence, to Mr. Locke; that of Proprietary and Charter Colonies and of Bermuda to Mr. Pollexfen; that of New England, Newfoundland, and New York to Mr. Hill.

The final report as to M. de la Forest's dispute with the Hudson's Bay Company was signed and ordered to be sent to Mr. Secretary Trumbull.

The Jamaica merchants reported that they could not prevail with any to go to Jamaica except a few poor families of more women and children than men, who would not serve their end, and therefore were quite at a loss at present. They said that the ships only waited for convoy and spoke of the danger of capture that our ships run in the Gulf of Florida.

On the application of Mr. Neale the Council consented to send a draft Post Office Act, prepared some time since, to Massachusetts.

Letter written to Mr. Secretary Trumbull about the report that was prepared as to Newfoundland if the Council had sat, with the papers communicated yesterday by Mr. Cole enclosed. [*Board of Trade.* Journal, 9. *pp.* 343-352.]

Jan. 13. Whitehall. **583.** Council of Trade and Plantations to the King. In obedience to your Order in Council of 12 November last, on the petitions of the West Country Merchants relating to Newfoundland, we report as follows. The trade of Newfoundland is of very great importance to the Kingdom, employing numbers of poor people in the West of England in making nets. The exports to it are all English produce except salt; the imports from it are not only the bare returns of what is carried out, but the fruit of all the labour employed therein, while the employment of numbers of ships and seamen increases the naval strength of the country. To recover and preserve it, we recommend that besides the convoy already appointed for the salt ships at the end of the month, four frigates (two at Plymouth and two at Milford) be appointed for the fishing-ships at the end of February, and two more (at Plymouth and Milford) for the salt-ships at the beginning of June. These convoys,

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while they remain at Newfoundland, should be ordered to cruise for the security of the fishing-fleet or to annoy the enemy, and should at the end of the season escort the ships to their markets. Besides the fishing-ships that resort thither annually, planters are convenient to preserve the boats, oars, stages, etc., and, in time of war, to protect the ports. But the number of these inhabitants left there during the winter should be limited to 1,000, lest by the increase of their numbers they engross the fishery to themselves, to the prejudice of our navigation. The French have already so fortified themselves in the Island, and seem so intent on the improvement of their interests there that the planters cannot suffice to protect our part. In order therefore to establish some military force by land to protect the harbours from such attacks as that made upon Ferryland, last summer, we think that little forts or redoubts should be built, two at St. Johns, one at Ferryland, and one at Fermouse, and that an engineer should be sent out for the purpose. We think that at least three companies of soldiers are necessary during the war for defence of these places; and since some think that a general Governor would be too great an encouragement to the planters, to the obstruction of the fishery, we think that each captain should command separately in each place, and have no power over the fishermen and planters except in case of actual invasion. Lastly we recommend that all suitable encouragement should be given to the inhabitants of Ferryland now residing at Appledore, Devon, for their relief and re-establishment. *Signed*, J. Bridgewater, Ph. Meadows, Wm. Blathwayt, Jno. Pollexfen, Abr. Hill. *Memo.* This was not presented. [*Board of Trade.* Newfoundland, 25. *pp.* 58-61.]

Jan. 18. **584.** Paper of objections offered by the Hudson's Bay Company on the first draft of the report upon their difference with Mons. de la Forest. The above draft was read to us, but a copy was not allowed to us; but so far as we remember, everything of advantage to the French was represented on their behalf, and many matters proved by the Company omitted. (1) The articles of 1694 are imperfectly recited and most favourably for the French, as Mr. Walsh's articles. We produced them in French, signed by M. d'Iberville, which language Mr. Walsh does not understand. (2) Captain Parsons's affidavit alone is cited by name and then five other deponents omitted, though proving the breach of every article by the French. The affidavits of Grimmington, Mary Davis, and William Potter are also omitted, nor does the report say that the French broke their articles, which expression appears in all the affidavits. Yet all the French affidavits are cited by name, Thomas Walsh's in particular, and it is asserted that the French kept their articles. (3) The affidavits of Grimmington, Hubbald and Mary Davis are unnoticed, though they disprove those of Thomas Jacobs, Pigott, and William Clarke. (4) No notice is taken of the Treaty of Neutrality of 1686, nor of the 12th Article which gives reprisal and restitution on persons and goods to the Company in case of injury received. The Company's losses in 1687 and 1688 are also unnoticed, though fully proved. (5) No notice is taken of the £18,000 of goods taken from us by the French in 1694, nor of the

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return of 55,000 furs which they gained thereby. (6) No notice is taken of the expense of an expedition in 1696 to retake Fort York, nor of the failure of our returns this year and last. (7) No notice is taken of the Company's expense for the small parcel of goods granted to them by the King, though the customs were £1,500 and the goods not worth above £7,000, though more highly estimated by the French. It is therefore plain that many of the goods were embezzled by the French. These matters are all proved, and with more time we could adduce more evidence, so we beg that they may be represented. We also beg for a draft of the report, which we think can be of no prejudice to either party. 2½ *pp. Endorsed*, Recd., Read, 13 Jan., 1696-7. [*Board of Trade.* Hudson's Bay, 2. *No.* 11.]

Jan. 13. **585.** Agents for the Leeward Islands to Council of Trade and Plantations. Since a treaty with France is likely to commence, we lay before you the advantage and necessity of insisting that St. Christophers shall remain wholly in the hands of the English. *Signed*, Bastian Bayer, Joseph Martyn, Rd. Cary. *Copy.* 1 *p. Inscribed*, Original sent to Mr. Sec. Trumbull, 14 Jan., 1696-7.

Here follow, Reasons for keeping the Island of St. Christophers whole and entire to the English. The Leeward Islands, which before the war were in a thriving condition, have each suffered much by mortality and through the expeditions against the French islands and the retaking of St. Christophers. Hence they are much disabled of their strength and must for their future security remain united without admitting the French again to any part of them. St. Christophers was originally settled by both nations, of which each had two quarters but shared the salt-ponds in common. In 1666 the French took the two English quarters, but restored them in 1671 at the treaty of Breda. At the beginning of the present war the French again drove the English from the Island and held it until 1690, when Governor Codrington recaptured it and sent away most of the inhabitants, whereby the whole island now remains in the possession of the English. But the uncertainty of war and of the islands remaining ultimately to the English makes people naturally unwilling to settle; whereas if it were known that the English were to keep the whole island, people would repair thither from all parts, for the island is very fertile and famous for healthiness. But if the French be restored, those English that are now settled upon their part of the island must be turned out again to the great discouragement not only of them but of the former inhabitants, who may very likely leave the island rather than hazard ruin for a third time by the breaking out of war with France. Thus the Crown will lose revenue and the nation will lose trade. Moreover, the restoration of the French would be a great danger to the other Leeward Islands and particularly to Nevis. *Copy.* 3 *pp. Endorsed*, Recd. 13 Jan., 1696-7. [*Board of Trade.* Leeward Islands, 5. *No.* 33; *and* 45. *pp.* 38-42.]

[Jan. 14.] **586.** Copy of several documents relating to the devastation of the English settlements in Newfoundland. Affidavits of Philip Roberts and two more inhabitants and fishermen of St. Johns, Newfoundland, taken at Dartmouth on 10 January, 1697. On the

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16th November last we had information that sixteen French had taken Petty Harbour, about nine miles from St. Johns. We sent out thirty-four men to their relief, who returned on the 17th, having been driven back by the snow. On the 18th, we sent out another party of 84 armed men, who not above a mile from St. Johns met a party of about 400 Frenchmen, soldiers and Canada Indians. We engaged them for half-an-hour, in which action 34 of the inhabitants were killed and several others wounded, the rest retreating to St Johns with the French in pursuit. About 180 men of the inhabitants, besides women and children, then entered into King William's Fort, St. Johns, and defended it for three days; the French meanwhile destroyed all houses, boats, stages, and provisions. The French scalped one of the inhabitants and sent him into the fort with a message that unless they surrendered they would all be served the same way. The inhabitants being in want of food and ammunition, then capitulated on articles of surrender received from the French, who however forced about 80 men to go southward against their will, contrary to the articles. Afterwards one of the deponents heard the French Governor at Placentia say that the English were asleep and fools to allow this plantation to be taken from them, and that the French did not doubt to take all New England next year except Boston, and that they intended to inhabit Renouse, one of the southernmost harbours of the English fishery in Newfoundland, having already fortified the place. The French force above mentioned was commanded by the Governor of Placentia, who brought it from thence in ships, first to Bay of Bulls and thence to Petty Harbour and St. Johns. One party of it was detached to march through the woods and commit the like spoil in all the harbours to northward. We ourselves with about 220 men, women and children came from St. Johns in a small vessel given us by the French to carry us to England. About 80 men were sent at the same time to France, contrary to the capitulation. The French were in possession of St. Johns when we left.

Copy of the terms of capitulation offered to the inhabitants of St. Johns by the French, 20 November, 1696. If they surrender the harbour quietly those that desire boats to go in the bay shall have them tomorrow morning; those that would go to England shall have two ships, a month's bread and necessaries for the voyage; and those that will swear allegiance to the King of France may live, keeping all their property without molestation.

Copy of a letter from John Sikes to Simon Cole. Dartmouth, 10 Jan., 1696-7. A ship came in at noon twenty-six days out from Newfoundland with 230 inhabitants of St. Johns, which, with all the other harbours there, have been taken by the French. All our debts and goods there are therefore lost. The enclosed affidavit tells the story. I am sending it to the Council of Trade to stir them to regain the Colony. The passengers tell us further that they had been informed by the French that Bonavista, Carbonere and Harbour Grace were destroyed by 400 Indians and 100 French, who came overland. All in Bonavista were put to the sword, and those in St. Johns would have had the same fate could they have been caught before they had taken measures of defence. We intend to petition the King to regain the Colony, hoping it will be

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backed by petitions from your city and the western ports. *The whole, 4 closely written pages. Endorsed,* Recd., Read, 14 Jan., 1626-7. [*Board of Trade.* Newfoundland, 3. *No.* 23; *and* 25. *pp.* 62-66.]

Jan. 14. Whitehall. **587.** Council of Trade and Plantations to Mr. Secretary Trumbull. Forwarding the memorial of the agents for the Leeward Islands as to the reservation of St. Christophers entire to England. *Signed,* Ph. Meadows, Wm. Blathwayt, John Pollexfen, Abr. Hill. [*Board of Trade.* Leeward Islands, 45. *p.* 48.]

Jan. 14. Whitehall. **588.** William Popple to Mr. Thornburgh. Captain Webb was yesterday presented by the Proprietors of the Bahama Islands to the Council of Trade, in order to his being sent Governor thither. The Council desire the following heads to be submitted to the said Proprietors and their answers thereto: (1) That Captain Webb take the oath to the King and sign the Association prescribed by law. (2) That he take the oaths to observe the Acts of Trade. (3) That a copy of his commission and instructions be sent to the Council of Trade. (4) What is his salary? (5) What security is taken for his conduct? (6) What methods are established in the Bahamas for trial of pirates? [*Board of Trade.* Proprieties, 25. *p.* 19.]

Jan. 15. Bideford. **589.** Richard Usticke to Council of Trade and Plantations. Your justice to the merchants in procuring convoy for their ships to Newfoundland, leads me to enclose you a list and estimate of the ships lately taken by the enemy there. Others were forced to sea without many of their guns, fish, oil, &c. The enclosed is the nearest estimate of the loss, but it is not above half, the plantations, boats, nets, salt, stages, &c., amounting to more. Pray in consideration of our losses use some way to recover the Colony. *Signed,* Richd. Usticke. ½ *p. Endorsed,* Recd., Read, 18 Jan., 1696-7. *Enclosed,*

589. 1. List of ships, belonging to the port of Bideford, lost at Newfoundland. Fourteen vessels, valued at £24,700. List of ships that escaped, sacrificing many goods, eleven vessels. Estimated loss, £3,710. Total loss, £28,410. 1 *p. Endorsed as the letter.* [*Board of Trade.* Newfoundland, 3. *Nos.* 24, 24 1.]

Jan. 15. Whitehall. **590.** Council of Trade and Plantations to Secretary Trumbull. We had prepared a report in the business of Newfoundland (*see No.* 583), but having since heard of the destruction of St. Johns by the French, we send you the papers concerning the same for the King's further orders. *Signed,* J. Bridgewater, Ph. Meadows, Wm. Blathwayt, Jno. Pollexfen, Abr. Hill. [*Board of Trade.* Newfoundland, 25. *pp.* 66-67.]

Jan. 15. Whitehall. **591.** William Popple to Mr. Tucker. Forwarding the report of the Council of Trade on the dispute between the Hudson's Bay Company and M. de la Forest, for Secretary Trumbull to lay before the King. [*Board of Trade.* Hudson's Bay, 3. *pp.* 36-37.]

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Jan. 15. Whitehall. **592.** Council of Trade and Plantations to the King. We have heard the case and the evidence between M. de la Forest and the Hudson's Bay Company. Mons. de la Forest relies on the article which stipulates for the safe delivery of all the goods with the garrison at Placentia. The Company denies the right of Captain Allen to make such articles, and Mons. de la Forest rejoins that he knew of no authority in Captain Allen, except the force that he brought with him. Secondly the Company insist that even if Captain Allen had been authorised, the breach of the capitulation of 1694 by the French in 1694 would justify reprisals. *Here follows an analysis of the evidence* (*see* 25 Feb., 1697), *but no recommendation. Signed*, John Bridgewater, Wm. Blathwayt, Ph. Meadows, Jno. Pollexfen, Abr. Hill. [*Board of Trade.* Hudson's Bay, 3. *pp.* 37-43.]

Jan. 16. Hudson's Bay House. **593.** Deputy Governor of the Hudson's Bay Company to William Popple. The following is an account of the affairs between the English and French in Hudson's Bay. 1682. The French took from us a factory in Port Nelson River, burnt it, and kept the men prisoners many months. 1686. The French took from us Hayes Fort, Rupert's Fort, and Albany Fort in the bottom of Hudson's Bay. 1688. They took and burnt another fort on Albany River. 1690. They took and burnt a fort on New Severn River. 1691. The Company retook the forts taken in 1686 by the French. 1694. The French took York Fort. 1696. The Company retook York Fort. We know of no footing that the French have now within our Charter except one fort, Nemiskie, about forty-five miles from Rupert's Fort. We have omitted all damage done to ships and goods. *Signed*, Samuel Clarke. [*Board of Trade.* Hudson's Bay, 2. *No.* 12.]

Jan. 16. Exon. **594.** Christopher Coke to John Pollexfen. Your letter plainly shows the hazard of the Newfoundland trade without the residence of planters there. I was about to trouble you by post with the depositions of about 220 inhabitants, who after barbarous usage by the French and Indians in St. Johns were sent home. Sir Edward Seaward, our representative, will give it to you. The matter is a weighty one to the whole kingdom and affects our western ports deeply, which have no other foreign trade to depend on. As to our drapery I look upon the Dutch as masters of that by the management of the tookers, who will ruin themselves and all workers under them to raise the Hollander. We have drawn a petition on the Newfoundland affairs of which and of a few reasons of my own I send you copies. Perhaps you may extract from them some proposals which will be of service at the Board. The Admiralty are not always so certain as might be wished in their appointment of convoys, as I know from woeful experience. It is supposed that on this last news from Newfoundland you may alter your former resolutions, but we still think you will keep your resolve of the two convoys going with the salt ships. You say that I am well situated at Plymouth for the Bonadventure, but I cannot keep a man abroad for the press, and I find it very difficult to obtain a protection. Pray give me your advice and assistance, that I may

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not lose the convoy. *Signed*, Christopher Coke. 1 *p.* *Endorsed*, Recd. 20 Jan., 1696-7. *Enclosed*,

594. I. Copy of a petition from the Corporation and merchants of Exeter to the King. Setting forth very briefly the advantages of the Newfoundland trade as a school for seamen and the ruin which its loss will bring on the western ports, and asking that the losses already suffered may be reduced. 1 *p.*

594. II. "Reasons for inhabiting Newfoundland or ruining the commerce." (1) Permanent settlement is necessary for the security of the immovable materials of trade in Newfoundland. (2) The necessary commodities imported there from Europe can never be managed by divers persons with so even a hand as neither to leave nor lack. If there should happen a want of provisions, salt, wine, brandy, etc., there can be no supply of them from any neighbouring parts, so consequently the voyde (*sic*) is ruined. If there be an overplus it is no sooner left by the owner but it is in the enemy's possession. (3) It is not to be supposed that this fishery can be supported or supplied by ships and men from England alone, for if they depart in March, arriving there in the middle of April and finding no boats, stages or warehouses, it cannot be thought that they can supply themselves (even if the French leave these necessaries and the timber growing round about undestroyed) in less than a month's time. Their best hopes then are to begin fishing in June, when it ought to be half over; so indeed a third of our time will be taken up to let our enemies ravage again as soon as we have deserted the country. (4) Settlement is necessary for the preservation of the catch, of which there was an indifferent stock about St. Johns before the late devastation. This was not much benefit to the sick. They must feed altogether upon salt food if the land be deprived of planters to preserve fresh food. 5. Settlement is also necessary to secure the land and to preserve and increase the trade. Nothing would encourage it more than 1,000 or 1,500 resident planters both to manure the land and increase the fishery. 6. To preserve the planters and the effects left behind during the winter, the settlements must not straggle too far from the fortifications erected for defence. 1 *p.*, *very obscurely expressed.* [*Board of Trade.* Newfoundland, 3. *Nos.* 25, 25 I., II.]

Jan. 18. **595.** Minutes of Council of Jamaica. The Governor reported the return of Captain Moses with several French prisoners and the renegade Grubbin captured. Order for £100 to be paid to him immediately as a reward for his great service. Order for several accounts to be entered in the Council book, including a list of small outstanding debts, amounting in all to £1,475. [*Board of Trade.* Jamaica, 79. *pp.* 47-52.]

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Jan. 18. **596.** Journal of Council of Trade and Plantations. Mr. Nicoll, agent for New York, was warned to prepare his answer to the three lieutenants by Wednesday next.

Mr. Usticke's letters of 12th and 15th inst., respecting Newfoundland, read. Mr. Cary, of Bristol, attended as to the convoy to Newfoundland, but was told that there was still uncertainty about affairs in Newfoundland, and that the matters brought forward by him belonged more properly to the Admiralty.

Letter from the President and Council of Barbados of 29 September last read. (*No.* 277.)

Letter from the Governor of the Hudson's Bay Company of 16th inst., read. (*No.* 593.)

Mr. Blathwayt said that the Elector of Brandenburgh had asked for copies of the despatches sent to Governor Codrington, respecting the restitution of New Tertholen [Tortola]. Order for copies to be given to him, and for a letter to Governor Codrington on the subject to be prepared. [*Board of Trade.* Journal, 9. *pp.* 352-355.]

Jan. 18. **597.** John Cary to Council of Trade and Plantations. The merchants of Bristol desire me to ask whether the convoy designed to be at Milford on the 20th is to sail with such ships as are ready by that time and take charge of all ships bound to the American Colonies, which will be about twenty sail, all laden with English produce and manufactures. *Signed,* John Cary. ½ *p. Endorsed,* Recd., Read, 18 Jan., 1696-7. [*Board of Trade.* Newfoundland, 3. *No.* 26.]

Jan. 19. **598.** The Attorney and Solicitor-General to Council of Trade and Plantations. We have perused the Act passed in Barbados in 1696 respecting Philip Kirton's lands, and are of opinion that the Act is reasonable if the suggestions therein are true, and if, as we are informed was the case, the Act was passed by the consent of the parties. *Signed,* Thos. Trevor, Jo. Hawles. ½ *p. Endorsed,* Recd., Read, 21 Jan., 1696-7. [*Board of Trade.* Barbados, 7. *No.* 26; *and* 44. *pp.* 45-46.]

Jan. 19. Whitehall. **599.** J. Tucker to William Popple. Mr. Secretary Trumbull wishes me to inform you that he has laid the affidavit of Philip Roberts and others (*see No.* 586) before the King, who desires the opinion of the Council of Trade as to what should be done therein. *Signed,* J. Tucker. ½ *p. Endorsed,* Recd., Read, 20 Jan., 1696-7. [*Board of Trade.* Newfoundland, 3. *No.* 27; *and* 25. *p.* 67.]

Jan. 19. **600.** Minutes of Council of Barbados. Order for payment of a present of £200 granted by the Assembly to Captain Daniel Reeves, of H.M.S. Newcastle. Orders for payments. Four assistants for Scotland precinct Court appointed, and one for Hole precinct Court. Francis Brooking appointed Master in Chancery. [*Board of Trade.* Barbados, 65. *pp.* 178-79.]

Jan. 20. Poole. **601.** The Mayor and merchants of Poole to Council of Trade and Plantations. We thank you for Mr. Popple's letter of 2nd inst. We desire now to add to our former proposals. 1. That two more men-of-war may be added, so as to make ten in all, for the reduction of Newfoundland. 2. That these ten ships be ready to sail direct

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to Newfoundland by the middle of February at latest. 3. That every ship may carry a pilot acquainted with the coast and harbours, so that they may not be deterred from dealing with it when there may be ice on the coast and the country looks dismal. 4. That our merchant ships have timely notice to prepare to sail with these ships. *Signed*, Tho. Hyde, Mayor, *and by twelve more.* 1 *p. Endorsed*, Recd., Read, 23 Jan., 1696-7. [*Board of Trade.* Newfoundland, 3. *No.* 28.]

Jan. 20. **602.** Answer of the Proprietors of the Bahama Islands to the queries made in the letter of 14 January to Mr. Thornburgh. (1, 2.) Captain Webb is ready to take the oath to the King, to sign the Association, and to swear to observe the Acts of Trade. (3.) Copies of his commission and instructions shall be sent to the Council of Trade. (4.) The Proprietors have never received a farthing of profit from the Bahamas, but have been at yearly expense. The Governor's salary is one-seventh of the rents; the remainder of the rents have always been spent in the country for its benefit and security. (5.) Captain Webb shall give any security that is required of us. He has served the King well in the West Indies, has been recommended to us by persons of considerable note, and is very acceptable to the merchants in the City. (6.) All pirates shall be tried in the King's Courts of Admiralty. [*Board of Trade.* Proprieties, 25. *p.* 20.]

Jan. 20. **603.** Journal of Council of Trade and Plantations. A letter to the Hudson's Bay Company ordered, as to the fort at Nemiskie.

Mr. Tucker's letter of 19th as to Newfoundland read. Mr. Cole and Mr. Merret attended, and said that more ships were necessary now than had at first been appointed, that the French were now likely to fortify their captured places in Newfoundland and stay there, that any expedition must be made with secrecy, and that it would be well if the possession of Newfoundland could be secured to England by the Treaty of Peace. The Council reassured them and ordered a representation to be prepared.

The New York Agents and the three lieutenants attended and were told to attend again on Friday.

Mr. Thornburgh and Captain Webb brought copies of the latter's commission and instructions to be Governor of the Bahamas, also an answer to the enquiries made of them (*No.* 602).

A letter to the Lieutenant Governor of Massachussets was signed.

Jan. 21. Order for a letter to the Commissioners of Sick and Wounded, that Mons. de la Forest need be no longer detained.

Order for the Acts of the Leeward Islands to be sent to the Attorney-General.

The Attorney-General's report of 19th as to a private Act of Barbados read (*No.* 598). Order for the Secretary to enquire of the merchants whether the Act was opposed.

A new representation to the King as to Newfoundland was signed, and delivered into the King's own hand by Lords Tankerville and Bridgewater.

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Jan. 22. Mr. Bridges attending brought forward a difficulty which had arisen over the sailing of the West Indian convoys. Resolved to prepare a representation at once to remove the obstacle.

Mr. Cole and others enquired what resolutions had been taken upon the Newfoundland trade, and complained of the pressing of some of their men from their salt-ships. The Council answered that the latter business had been represented to the King, and that his decision would be communicated to them without delay. Order for a letter to be written to Mr. Secretary Trumbull to give him some further information brought by the merchants concerning Newfoundland, and to beg for the King's speedy resolution upon the other matters. Petition of the merchants of Poole (*No.* 608 I.) read.

The three lieutenants from New York attended, and said that they desired to add nothing to their affidavits. They were, however, warned to attend on Tuesday next, when the New York agents would be present for the hearing of their case.

Letter to Governor Codrington as to Tortola signed.

Jan. 23. Report from the Admiralty as to sending supernumerary men to Jamaica read (*No.* 567). Order for the Agents of the Leeward Islands to be summoned to attend on Monday next, and for the Secretary to enquire of the Admiralty as to the sending of supernumerary seamen to the frigates now at Jamaica.

Sir Henry Ashurst moved for a memorial relating to New England to be read. The Council appointed Monday next for the attendance of Lord Bellomont.

A representation to the King was signed (*No.* 615) on the delay of the West Indian convoys by the Customs, also two letters to Sir William Trumbull, urging the despatch of the business of Newfoundland. Letter from the town of Poole of 20th inst. read (*No.* 601). [*Board of Trade.* Journal, 9. *pp.* 352-364.]

Jan. 20. Whitehall. **604.** Council of Trade and Plantations to Lieutenant-Governor Stoughton. The King has appointed us to our present office. You will be careful to keep us well informed as to the province under your government and to transmit the Journals and Minutes of Council and Assembly and the Acts of Assembly with regularity. Your letter of 24 September, and Mr. Addington's of 16 and 22 September have been received. The Acts of Massachusetts have been before us, of which the following have been disallowed for the reasons given. The Act to regulate the building of ships seems to lay an unnecessary and discouraging charge on the builders and opens the door to great partiality in the overseers. If however the Act has been found beneficial we are ready to promote the passing of another Act to the same purport. The Act for encouraging a Post Office is prejudicial to the General Post Office here and inconsistent with existing patents. We are sending you a draft Act, for your Assembly to pass if it thinks fit. The additional Act for Courts, supplementary Act to Revenue Acts, and the second additional Act for Courts, are all based on a previous Courts Act of 1692, the repeal of which renders necessary the repeal of these three. Similarly the additional Act for Privileges is disallowed, as the original Act has been disallowed. The Act for

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establishment of the Chancery is disallowed because it seems to exclude appeals to the King in Council, except in certain cases, which is contrary to your Charter. Among the Acts approved is one for fitting out a cruiser for the coast; we wish to know how its enforcement is continued and with what success. The Act to restrain exportation of pitch, tar, etc. has not been disallowed, as it has expired, but you will remember in future that such restraint seems suitable neither to the interest of the Colony nor to the King's desire to encourage the production of Naval stores. We are sending out Commissioners to examine and report as to Naval stores. The Acts of date subsequent to those above mentioned are still under consideration. The general state of your province we have learned from your letters. Your proceedings upon the news of the discovery of the conspiracy here seem to have been suitable to the occasion. Your diligence in defence of Piscataqua and your measures for the annoyance of the enemy after the taking of Pemaquid are commendable, though the surrender itself was a reproachful action unworthy of Englishmen. We shall then expect an account of your proceedings against the commander of the fort. The King will always have particular regard to the security of New England and the adjacent provinces, wherefore continue your vigilance and care in preparing for defence and for giving timely assistance to your neighbours. We press this more upon you, as our last news from Newfoundland gives us fresh apprehensions of danger. Mons. d' Iberville has taken St. Johns, shipped the inhabitants to England (where 200 are already arrived) and has made himself master of the whole country, threatening as soon as the season permits to fall upon New England. You will therefore exert extraordinary vigour in preparing for defence. Though the King be mindful of the Colony, yet he may well expect the inhabitants to do their part in repairing the fortifications and putting exposed places (especially Saco) into a good state of defence. We must remind you also of the expediency of resettling a fort at Pemaquid or at some convenient place thereabout a little more remote from the sea, whereby it will not be exposed like the other to attack by ships. You will continue to send us lists of the prizes brought in by privateers. We note what you say as to the want of Admiralty power and shall be mindful of it. Lord Bellomont's absence in Ireland has hindered his despatch to America and delayed other matters also, but as he is lately arrived we doubt not but that all proper directions will be given to him. The King has sent orders to all the Colonies to observe the former regulations as to the quota to be furnished for defence of New York, and you too will not fail to observe the same strictly. The King has also ordered that in future the commanders of his ships sent for defence of any of the Colonies shall be under the direction of the Governors, and that no seaman shall be impressed in the Colonies without the Governor's warrant. He has also ordered effectual laws to be made against harbouring deserters, and that all Governors shall do their utmost to repress piracy. In the trial of Every's crew there was too frequent mention of New England as the place from which pirates are fitted out and where they are entertained. One deposition says that "all the pirates now out came from New

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England, except Tew from New York. Thomas Wake was fitted out at Boston. They build their ships there. The money they bring is current there, and the people know well where they go. Captain Gough, who keeps a mercer's shop at Boston, made a good estate that way." You will be most vigilant to repress such practices. As we have given you orders to help your neighbour Colonies, so we have given them orders to help you in case of danger. *Signed*, J. Bridgewater, Tankerville, Ph. Meadows, Wm. Blathwayt, Jno. Pollexfen, Abr. Hill. [*Board of Trade.* New England, 36. *pp.* 103-112.]

Jan. 21. **605.** Minutes of Council of Massachusetts. Orders for payment of £1 10*s.* 0*d.* to Henry Dering, as Clerk of the Representatives; of £40 apiece to Thomas Danforth, Wait Winthrop and Samuel Sewall, as judges of the High Court; £70 to Isaac Addington, Secretary; £50 to Anthony Checkley, Attorney-General; £10 to Major Jonas Convers for negotiating with the Indians and military services; and £40 to Jonathan Balston, sen., for fitting a ship for the King's service. Order for the Ministers to be urged to collect a contribution for settlement of the Ministry. [*Board of Trade.* New England, 49. *pp.* 65-68.]

Jan. 21. **606.** Petition of the Proprietors or Agents of Carolina, the Bahamas, Pennsylvania, East and West Jersey and Connecticut to the King. We observe in the representation of the Council of Trade of 17 December last that, notwithstanding our Charters, you may appoint Courts of Admiralty in our provinces, and that the Admiralty have reported that all Governors of Colonies have or might have commissions as Vice-Admirals. We beg that our Governors may have Vice-Admirals' commissions like the Governors of your other plantations. *Signed*, on behalf of the other Proprietors, Dan Cox. *Copy.* 1 *p.* [*America and West Indies.* 601. *No.* 42; *and Board of Trade.* Proprieties, 25. *p.* 31.]

Jan. 21. **607.** Receipt for letters directed by William Popple to Lieutenant Governor Stoughton, with an engagement to sink them in the sea, in case of any misadventure through the French on the voyage. *Signed*, John Thomas, Daniel Pinneau. ½ *p.* *Endorsed*, Recd. 25th Jan., 1696-7. [*Board of Trade.* New England, 8. *No.* 58.]

Jan. 21. Whitehall. **608.** J. Ellis to William Popple. Forwarding a petition from Poole to be laid before the Council of Trade. *Signed*, J. Ellis. ½ *p.* *Enclosed*,

608. 1. Petition of the Mayor, Corporation, and Merchants of Poole to the King. Besides the deplorable losses which we have sustained by French attacks in Newfoundland to September last, we have since received news of the further destruction of St. Johns and of a design to do the like to the northern harbours. We beg you to send ships of war to Newfoundland to avert not only the loss of trade, and of a means of increasing seamen, but the ruin of us inhabitants of the West of England. *Fifty eight signatures.* 1 *p.* [*Board of Trade.* Newfoundland, 3. *Nos.* 29, 29 I.]

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609. Council of Trade and Plantations to the King. They repeat their report of 13 January (*No.* 583) and continue as follows. Since preparing this report we have information of an attack upon St. Johns, where the French have wrought great destruction, barbarously used some of the inhabitants and sent others away to England. They are now masters of the Island, depriving us of the trade, and must continue so unless a sufficient land and sea-force be sent out. We recommend therefore that four more ships of war and land-forces be added to those already desired for the end of February, to visit the coast of Newfoundland lately possessed by the English, secure them during the preparations for the fishery, and if possible attack and capture Placentia. For these purposes we think that a regiment of not fewer than 700 soldiers would suffice, of which, at the close of the season, two companies should be left at St. Johns, and one each at Ferryland and Fermouse, to secure them from attack during the winter. For this purpose the regiment should be provided with tents, ammunition and provisions, not only for the summer but for the winter. Further instructions in accordance herewith should be given to the commanders of the sea and land-forces; and some of the ships if possible should be employed in cruising upon the Bank of Newfoundland and on the coast, to disturb the French fishery. Lastly, the whole enterprise should be carried on with the greatest despatch and at the times mentioned, lest the French by earlier preparations prevent us. *Signed*, J. Bridgewater, Tankerville, Ph. Meadows, Wm. Blathwayt, Jno. Pollexfen, Abr. Hill. [*Board of Trade.* Newfoundland, 25. *pp.* 68-73.]

Jan. 22.

610. Extract from a letter from Poole to Mr. Edward Lloyd. The Two Brothers of Poole arrived to-day from Newfoundland after a three weeks' passage. The master reports that after the taking of St. Johns, the Governor of Placentia sailed for France leaving his brother and a hundred men at St. Johns to secure the place, and designing to return with a greater force from France to fortify all the harbours taken from us. ½ *p. Endorsed*, Recd., Read, 23 Jan., 1696-7. [*Board of Trade.* Newfoundland, 3. *No.* 30.]

Jan. 22. Whitehall.

611. William Popple to the Agents for Barbados. The Council of Trade desire to be informed whether an Act of Barbados concerning Philip Kirton's land was passed by the consent of the parties, and whether there are any persons that concern themselves in opposing the confirmation of that Act by the King. [*Board of Trade.* Barbados, 44. *pp.* 46-47.]

Jan. 22. Whitehall.

612. William Popple to the Attorney-General. Forwarding two Acts of Antigua for his opinion. [*Board of Trade.* Leeward Islands, 45. *pp.* 43-44.]

Jan. 22.

613. Council of Trade and Plantations to Governor Codrington. Forwarding copies of the memorial submitted by the envoy of the Elector of Brandenburgh respecting the propriety of the island of New Tertholen, for a full and true report thereon. *Signed*, J. Bridgewater, Ph. Meadows, Wm. Blathwayt, John Pollexfen, Abr. Hill. [*Board of Trade.* Leeward Islands, 45. *pp.* 44-45.]

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Jan. 23. **614.** Council of Trade and Plantations to Secretary Trumbull. The merchants trading to Newfoundland are impatient for an answer to their petitions. Please remind the King on Sunday afternoon of our representation. We have just heard that the French Governor is fortifying Renouse, one of the English harbours, and intends to reside there. *Signed*, J. Bridgewater, Ph. Meadows, Wm. Blathwayt, Jno. Pollexfen. [*Board of Trade.* Newfoundland, 25. *pp.* 73-74.]

Jan. 23. Whitehall. **615.** Council of Trade and Plantations to the King. In our representation to the Lords Justices of 4 September last we set forth the advantages of directing the West India trade and convoy to sail from the Downs on 31 December, and that after that day no ships should be stayed for. You gave your orders accordingly on 22 October and we gave notice to the merchants by our letter of 5 November to the Commissioners of Customs. We have since received your orders through Mr. Secretary Trumbull in his letter of 14th inst., to ascertain how many of the merchant-ships had sailed and how much longer the merchants desired the convoys might stay for the rest. Also by a letter of the 9th inst. from the Admiralty we learned your order to that Board that such of the convoys as were ready to sail for the West Indies should proceed thither with the merchantmen that were ready, and that those which were left behind should be convoyed by convoys appointed for them. We gave our orders and notice accordingly, but the merchants have since informed us that the Commissioners of Customs now refuse to clear their ships, which are intended to sail with the afore-mentioned convoys. This refusal (alleged to be grounded upon your Order in Council) has put the merchants into great disorder, for they have got their ships ready for their voyages, and will cause great loss to them and great prejudice to the Plantations, unless you direct the Commissioners of Customs to clear all such ships at least as appear by their entries, already made, to be bound to the Plantations, until the actual departure of the convoys be signified to the merchants. *Signed*, J. Bridgewater, Tankerville, Ph. Meadows, Wm. Blathwayt, John Pollexfen. [*Board of Trade.* Plantations General, 34. *pp.* 95-97.]

Jan. 25. **616.** Minutes of Council of Barbados. A letter from the Governor of Martinique read, asking for the exchange of twenty-one French prisoners against the number of English prisoners now sent by him, pursuant to an agreement with Governor Russell. Resolved to exchange no prisoners until the King's instructions be received.

Jan. 26. An express arrived from England with the Council of Trade's letter of 23 November, 1696, which was read, as was also a warrant giving Edward Cranfield leave of absence on account of his health, and permission to appoint a deputy for his offices of Naval Officer and Customs Officer. Order for hire of a sloop to carry the Council of Trade's despatches to Governor Codrington. In the afternoon a second advice-boat came in with a duplicate of the above letter, and the first advice-boat was at once sent on to Jamaica. The Assembly then came up, and presented five bills, for raising a strength of labourers, for freedom of elections, for appointing agents in

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England, for allowing Quakers to substitute their affirmation for an oath, and a bill concerning apprentices. They also brought up the following proposals. (1) That the French prisoners might be secured, in case of alarms; (2) that a review be taken of the arms and ammunition in each person's hands; (3) that there be frequent exercises for a little time; (4) that they might see the letters from England; (5) That a Joint Committee, for which they named their members, might be appointed to prepare the Militia Act; (6) That the Act for levy of hands be published by beat of drum tomorrow. The Council answered as to (4) that they had shown the Assembly all that it needed to know, and as to (5) that they were ready to receive a Militia Bill but not to join in a Committee to frame it. The Assembly concurred in the hire and immediate despatch of a sloop to Governor Codrington. The Assembly also moved that in the present emergency the judges, in this round of Courts, should only publish their commissions and swear their officers.

Jan. 27. Bill for raising a strength of labourers read thrice and passed. Orders for the rudder and sails of the French flag-of-truce to be removed, and for a serjeant and twelve men to be put aboard her, and for the nightly patrols of the bays to be resumed. A second sloop hired to carry despatches to Governor Codrington. The master of yesterday's advice boat was brought up in custody for not sailing as ordered, and was sent on board again in custody with orders to sail at once. Order for the field-officers to attend next Council. [*Board of Trade.* Barbados, 65. *pp.* 179-184.]

[Jan. 25.] **617.** Petition of Sir Robert Robinson to Council of Trade and Plantations. I was the first King's Governor of Bermuda, and in settling the Government was at the expense of £2,000 (which has never been repaid me) besides a vast and troublesome fatigue. I also sent home to the Crown of England £3,000 in silver with 36,000 weight of copper as well as a ship of twenty guns which was properly my own, being taken by pirates. Also there is due to me four years' salary at £400 a year. I beg that I may be appointed Governor of Bermuda with such encouragement as you think fit to allow me. *Signed*, Robt. Robinson. 1 *p. Undated. Endorsed*, Read 25 Jan., 1696-7. [*Board of Trade.* Bermuda, 3. *No.* 5.]

[Jan. 25.] **618.** Memorial of the Agents for the Leeward Islands to Council of Trade and Plantations. Recommending Edward Parsons as Secretary of the Leeward Islands if John Palmer be displaced in consequence of the charges against him. *Signed*, Bastian Bayer, Joseph Martyn, Rd. Cary. ½ *p. Endorsed*, Recd., Read, 25 Jan., 1696-7. [*Board of Trade.* Leeward Islands, 5. *No.* 34; *and* 45. *pp.* 45-46.]

Jan. 25. Hudson's Bay House. **619.** Deputy Governor of the Hudson's Bay Company to William Popple. In reply to yours of 21st we have ascertained that Nemiskie was built by the French as a rendezvous for themselves and their Indians to intercept our trade and annoy our factories, by which means they took three forts from us in 1686. When peace between France and England is in question, we desire that the French may not travel nor drive any trade beyond the midway between Canada and Albany Fort, which we reckon to

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be within our bounds. *Signed*, Sam. Clarke. ½ *p. Endorsed*, Recd. 25 Jan., 1695. [*Board of Trade.* Hudson's Bay, 2. *No.* 18.]

Jan. 25. **620.** Journal of Council of Trade and Plantations. Sir Robert Robinson's petition read (*No.* 617) and laid aside.

The Agents for the Leeward Islands presented a memorial recommending Edward Parsons as Secretary of those islands. Being questioned as to supernumerary seamen they said they believed that masters were as unwilling to carry sailors as soldiers.

Mr. Secretary Trumbull reported that he had, by the King's orders, directed the Commissioners of Customs to clear all ships of the West Indian convoys that were ready, but that the King desired to know what others were preparing and when they would be ready. Order for enquiry to be made of the agents. Mr. Secretary then informed the Council that a large number of malefactors were in Newgate, awaiting transportation; on which matter the Council resolved to consult the Agents of Barbados.

Mr. Secretary then put to the Council three questions from the King as to Newfoundland, viz., whether fewer men of war would not suffice; whether it could not be agreed that the merchant-ships should victual the fleet on the public credit; and whether a Governor were not needed as well as soldiers. The Council therefore prepared a new representation. Mr. Cole and Mr. Merret attended to enquire as to the resolutions that were taken about Newfoundland, and reported that the French commander had gone to France to ask for forces to conquer the whole island. They were directed to call again on Thursday morning.

Several gentlemen concerned in New England and the neighbouring Colonies attended. The New England Agents urged the immediate consideration of the memorials before it. Afterwards Mr. Harrison and Dr. Cox, in the name of all, moved that New England and New York might be united under one Government for the civil part of it, and that the same Governor should have military command also over Connecticut, the Jerseys and the adjacent Charter Colonies. They recommended Lord Bellomont to be Governor, towards whose entertainment Dr. Cox said that they would willingly contribute. The New England Agents intimated the same thing, with the restriction that it should only be as a voluntary gratification, not by fixing any certain salary, for which they had no order. They argued for the usefulness of such a junction, and promised to embody their opinions in a memorial.

Jan. 26. Lord Bridgewater presented a petition from the Proprietors of the Jerseys as to administering the oath required by the Act for regulating the Plantation Trade, saying that the Lord Keeper desired them to consider the form of the oath, the manner of administering it, and the Commissioners who should administer it. The Council ordered Mr. Randolph to be summoned to attend to-morrow on this business.

The three Lieutenants of New York and the New York Agents attended upon the case pending between them; but no one having any knowledge of what related to Captain Weems, it was moved

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that he have notice and time given him to make answer himself. The Lieutenants then gave evidence, and the Council reserved its resolutions thereon for further consideration. The New York Agents handed in an Association signed by the officers civil and military of New York.

Jan. 27. Colonel Lidgett handed in a petition from the Proprietors of the King's Province (*see* 27 Jan.), which was reserved for consideration.

The Agents for the Leeward Islands reported that their ships were ready to sale.

The Agent for Barbados reported that the Barbados merchants designed no more ships for that island. He also reported that there was no opposition to the private Act as to Philip Kirton's estate, and promised to enquire whether the island would receive any convicts.

Mr. Randolph attended, upon the matter of the oaths to be administered under the Act for regulating the Plantation Trade, and reported that the matter was now before the Treasury. He gave the names of those appointed to administer the oaths to the Governor of the Jerseys; whereupon Lord Bridgewater took a minute of these things and took back the petition of the Proprietors of the Jerseys.

Three gentlemen concerned in Jamaica attended and reported as to the ships ready and preparing to sail to Jamaica. Mr. Bridgeman's letter of this day as to supernumerary seamen (*No.* 637) was communicated to them. That part of the letter which concerns Virginia was ordered to be communicated to the Governor of the Province.

Captain Webb soliciting for a despatch of his business was told that a representation about the Bahamas would be laid before the King tomorrow.

Jan. 28. Mr. Ellis's letter of 27th read and an answer, dated this day, sent to Sir William Trumbull. A further letter was sent to him as to the ships for the West Indies.

Representations as to the Bahamas, Philip Kirton's Act, and new Councillors for Virginia were signed and sent to the Privy Council.

Jan. 29. On the Order of the King in Council of yesterday, respecting the Bahamas, the Secretary was directed to write to Mr. Thornburgh for information.

The dispute between Rhode Island and Connecticut as to the Narragansett Country or King's Province was considered, and all parties were assured that copies of the papers on both sides should be interchanged and due notice given of the day of hearing.

The Agent for Barbados reported the readiness of the Colony to accept convict men; and it was ordered that a letter be prepared to Mr. Secretary Trumbull on the subject.

Mr. Secretary Trumbull laid before the Council the King's resolutions as to sending a force to Newfoundland, and requested that experienced masters of ships should attend the Admiralty to give them information, adding that it was desirable that some of the merchants should victual at least the land forces designed thither. Sir Joseph Hern was therefore summoned, but he being unable to attend through sickness, Mr. Pollexfen went to him and brought back his answer that he was unwilling, owing to inexperience, to undertake

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the business of victualling. Mr. Cole and Mr. Merret were asked to see that the masters attend the Admiralty, and the Secretary was ordered to give notice of the King's intentions to the out-ports.

The New York Agents desired that they might be heard before the proposed change of Government was made, which was promised.

Mr. Bernon again asking for encouragement to import Naval stores, was bidden to draw up a proposition and to state prices.

Letters to the Governors of Virginia, Maryland and New York approved. [*Board of Trade.* Journal, 9. *pp.* 364-381.]

Jan. 25. Whitehall. **621.** Council of Trade and Plantations to the King. Pursuant to your orders, we offer the following additional report as to Newfoundland. The ships designed for it are prepared to sail at three different times, viz., two with the salt-ships at once, and two with the sack-ships in June. The total number of ships that we propose for opposing the French and mastering the coast is eight ships, nor do we think that fewer will suffice. The French send thither several ships of force every year, and more may be sent upon the information of the Governor of St. Johns, who we hear is returned to France to give an account of his progress. As to provisions, the trade therein is carried on by so many sorts of people and by so many towns that have no correspondence with each other, that we think it impracticable to obtain them by proposals to the merchants. The people could not comply therewith and would be rather discouraged from their preparations, fearing lest the ships of war should not be ready against the appointed time, from lack of provisions. As to a Governor we think that the Commander-in-chief may be military governor for all offensive and defensive operations during the summer, but that the troops left behind by him in the several harbours shall be commanded by their respective captains, of whom the eldest officer shall have chief command. *Signed*, J. Bridgewater, Ph. Meadows, Wm. Blathwayt, Jno. Pollexfen, Abr. Hill. [*Board of Trade.* Newfoundland, 25. *pp.* 74-76.]

Jan. 26. Dartmouth. **622.** John Whitrow to John Pollexfen. I observe your sentiments in your letter of 29 October about Sir Edward Hungerford. Notwithstanding Mr. Bath's promise of preferring a bill last term, I have not heard a word from him since. A fortnight since an affidavit was made here by some of the inhabitants fled from St. Johns, Newfoundland, setting forth the damage done there by the French. A copy was sent to Secretary Trumbull, and another to Sir Joseph Hern to present to you. A petition asking for some men-of-men to be sent to Newfoundland early this spring was also sent to him. He said that he would present it to the King, so I presume that it has been referred to your Board. Several ships are here designed out on the fishing account, but so many men are impressed for the men-of-war that unless we can get protection our preparations and designs will be ruined. They do indeed tell us that if our men remain always on board ship they will not meddle with them, but that is impossible, for the men must go ashore for what they want. I am therefore instructed to beg your favour with the Admiralty that we may obtain protections for our men on shore as well as aboard, and that the seamen's names may be inserted in

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the margin of the protections according to lists to be furnished by the masters of the ships, which will effectually prevent them from being impressed. It is also requested that the men-of-war designed for Newfoundland may sail at the end of next month, and that the ships bound on the fishing voyage may have the benefit of their convoy, otherwise it will be too late in the season to proceed on that design. I suppose you heard of the ship that came into Plymouth last week in twenty days from Newfoundland. The master reports that spies sent to observe St. Johns reported that some of the French were still there and fortifying themselves. I hope therefore that our men-of-war will sail early in the spring to root out that bloody crew before they receive fresh supplies from France. *Signed*, John Whitrow. 3 *pp. Endorsed*, Recd. 29 Jan. Read 1 Feb., 1696-7. [*Board of Trade.* Newfoundland, 3. *No.* 31.]

Jan. 26. Plymouth. **623.** John Warren to John Pollexfen. We have duly heard of your Board's orders for convoys to be ready at Milford and Plymouth by the 20th inst., and for four or five men-of-war to sail to Newfoundland direct at the end of February or beginning of March. But nothing is now said of this, and after the information that the Governor of Placentia has left his brother and 100 men at St. Johns and has sailed to France to get recruits, most people think that Newfoundland and the trade for this year are lost. No doubt they will be lost unless we are speedy and vigorous to send men-of-war there before the French. If this be done in time, one-half the strength will be more effectual then than twice the number afterwards. I understand that all this time we have twenty-one or two men-of-war in port, of which a couple may be ordered to sail to Portugal and four more direct, about a month hence. These might be manned from other ships that are not in such haste, and if you give them sufficient ammunition and provisions this would be a simple way to regain and secure Newfoundland without much noise or charge. But unless the commanders are sober, diligent men I expect no good to come of it, and cannot but lament to see that most of the miscarriages proceed from the ill-conduct of lewd debauched men, who are often employed but with whom we cannot expect God's blessing. The merchants and shipwrights of this town have petitioned the Admiralty that they may have a competent number of men besides their servants protected from impressment, as in all other places. But we lie under such hardships that not one ship has been built within this harbour since the war, though we cannot be heard in anything that would mitigate them. It would therefore be a singular kindness if you would recommend our request to their Lordships for their favour. There are men-of-war now in port to be paid off; it would be a great benefit to these parts if they were paid off here. *Signed*, John Warren. 1½ *pp. Endorsed*, Recd. 29 Jan., Read 1 Feb. 1696-7. [*Board of Trade.* Newfoundland, 3. *No.* 32.]

Jan. 26. Whitehall. **624.** William Popple to the Secretaries of the Admiralty. The merchants have insisted upon sending one hundred supernumerary seamen in the fleet designed for Jamaica to the

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Southampton and Reserve, as a thing of very great importance to the island. The King has directed this to be done, in accordance with a representation of the Council of Trade, and I am to ask what progress has been made in the execution of the service. [*Board of Trade.* Jamaica, 56. *p.* 71.]

[Jan. 26.] **625.** Information of Lieutenant George Sydenham against Governor Fletcher. (1) Soon after landing at New York we received orders to march to Albany. Lieutenants Riggs and Wright and I applied to the Governor for credit or subsistence, but were refused. (2) At the end of 1695 the Governor came up to Albany, when I applied to him for money to subsist. He told us that he had none and that our captains ought to pay us; but we could obtain no payment. (3) When I was ordered to Senectady I told the captains that the soldiers wanted shoes, stockings, shirts, etc., but they sent none for them, so that the soldiers were unable to do their duty, or to go through the woods to discover Indians. (4) I informed the Governor of this, as also that the soldiers had no means of boiling their provisions, and he wrote to me that he would provide the articles needed; but they were never sent. (5) The Governor said that he had written to the Agents for clothing by every ship, but the Agents deny it. (6) I told the Governor that the soldiers received no food provisions from the Commissary of Stores, but money instead, and that not half the value charged to them. The Governor said that if the men could not take the money, they should have nothing. (7) The King pays 300 soldiers at Albany, but not half the number were there last May, so that the inhabitants have deserted their plantations for thirty miles. (8) There was a company of Fusiliers maintained at Albany at the country's charge. The Governor broke them, to engage them for one year's service in the King's cloth, with promise of £3 a man advance and fourpence a day additional pay. But the men not receiving this money have deserted sixteen or eighteen at a time. (9) When relieved at Senectady I obtained leave to return to New York, where I laid an information against the captains; whereupon the Governor told me it was not the part of a gentleman to inform against his officers. Sworn 13 Jan., 1696-7. 1½ *pp. Endorsed*, Recd. 13th. Read 26th Jan., 1696-7. [*Board of Trade.* New York, 7. *No.* 2.]

Jan. 26. **626.** Abstract of the grievances of Lieutenant George Sydenham against Captain James Weems. (1) On the receipt of Lieutenant Sydenham's commission Captain Weems sent him into the country to raise men. He then told him that he must raise thirty men for his complement, for which he would allow him nothing, nor for the necessaries required for the men on the voyage to New York, but that he must make a bill and charge it as contingencies. (2) Lieutenant Sydenham acquainted Mr. Blathwayt that he had raised fifty men and received no subsistence to them, whereupon Mr. Blathwayt wrote to Captain Hide to pay him the subsistence and advance-money, but to no purpose. He then wrote again to Mr. Blathwayt, who thought he ought to have £2 *per* man. Three of Captain Weems's sergeants did freely affirm that Sydenham brought fifty men to Captain Weems, whom he clothed and took into pay, besides others that ran away. (3) At Portsmouth Captain Weems

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discharged one man for seven guineas, after he had been mustered. (4) At the end of September, 1695, Governor Fletcher came to Albany, when Sydenham informed him that Captain Weems would not pay nor account with him, whereupon the Governor gave order that he should do so; but Captain Weems feigned himself sick, and would not be spoken with. The Governor left orders that Colonel Ingoldsby should inspect the accounts and report to him, on which Weems ordered Sydenham to make up his accounts, which he did, agreeing that the money which Weems had overcharged Sydenham should be omitted till they heard from England. (5) On New Year's day, 1695-6, Captain Weems sent his sergeant with a full muster-roll for Sydenham to sign, which he refused, as he had never seen so many effective men; whereupon Weems would not stand to Sydenham's accounts nor pay him any money. (6) Weems charges Sydenham with £120 before he left England; whereas the Agent charges him with but £55. (7) Lieutenant Sydenham was forced to live on a private centinel's pay for several months, which is fivepence a day, New York money. (8) The soldiers not having good provisions nor necessary clothing, either drowned themselves or ran away to the woods, where several perished. Some were retaken, tried by court-martial and shot, but nevertheless some deserted a second and third time, owing to their hard treatment. (9) Weems sold a young man of his company in New York for £15, and the purchaser sent the man to sea in a privateer. (10) Lieutenant Sydenham disbursed more money in raising and subsisting Captain Weems's men than he received from him, and he has received no subsistence from the Governor, the Captain, or the Agent since the date of his commission. He did not leave his post from disrespect to the King's service, but came to England for justice. *Signed*, Geo. Sydenham. Sworn on 13 January, 1697. 2 *pp. Endorsed*, Recd. 13 Jan. Read 26 Jan., 1697. [*Board of Trade.* New York, 7. *No.* 3.]

Jan. 26. **627.** Abstract of the misdemeanours of Captains James Weems and William Hide. (1) They signed a list of their men to the magistrates of Boston, where the men were quartered, but they did not pay the soldiers' quarters nor sign the landlord's bills, but left the charge on the King's account. (2) They did not pay the men's quarters nor sign the landlord's bill at New York, but marched the men out of the town. (3) They have charged their officers and men all the time 3*s.* 6*d.* a week for provisions, though the King's charges are 2*s.* 11*d.*, yet they were on short allowance, which is four men's allowance to six men, from 1 August, 1694, to 12 November, 1694, which amounts to 1*s.* 11¾*d.* per week, though officers and men were all charged 3*s.* 6*d.* a week all the time. (4) On the 22nd June, 1696, the Commissaries for provisions in New York told me that they had not received above £70 from both Captains. (5) The two Captains acknowledged that they received the subsistence of their companies from 1 August, 1694, to 31 January, 1695; yet what they have paid does not amount to £100, the rest remaining in their hands. *Signed*, Geo. Sydenham. Sworn 13 January, 1697. 1 *p. Endorsed*, Recd. 13 Jan. Read 26 Jan., 1697. [*Board of Trade.* New York, 7. *No.* 4.]

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Jan. 26. **628.** Abstract of the grievances of Lieutenant Roger Wright against the Governor and Captains of New York. (1) On landing at Boston he informed the Governor of the payment of six months' subsistence in England for the two companies, foreseeing the evil consequences of it not being paid according to the intent for which it was given. (2) On his landing at New York the Governor told him that he had received his letter from Boston, with two letters enclosed from the Duke of Leeds and the Duke of Bolton on his behalf. He further said that he understood that the two Captains had embezzled the money received in England and a great part of the overplus provisions, but that he would not meddle with them. (3) The Governor told Lieutenant Wright that he was sorry for him in that he had served in command before, and that he had better have taken a halberd in England than come as a Lieutenant to New York. (4) Having orders to prepare for the frontier, Lieutenants Sydenham, Riggs and Wright asked the Governor to help them with a little money for subsistence and with credit for the same, but the Governor positively refused. (5) Lieutenant Wright was ordered to the garrison of Senectady with a detachment, from whence he signified the want of ammunition and other necessaries for the garrison, but was not supplied. (6) The dissatisfaction of the soldiers owing to their want of good provisions and of shirts, shoes, and stockings led to the desertion of many, of whom several perished in the woods. (7) Finding the companies much weakened Lieutenant Wright asked as to the closing of the rolls; whereupon they were asked to close the rolls as full, but refused to do so for more than the effective men. (8) No musters were ever made in New York, according to Act of Parliament, that Wright ever knew of. (9) Wright was forced to live on a private man's allowance for several months, having neither money nor credit to subsist otherwise. (10) For the subsistence that he received in England the Governor deducted 30 *per cent.*, as his accounts, signed by the Agent and the Governor's Secretary, can show. (11) Lieutenant Wright is highly sensible that the detention of their subsistence from the men was the great cause of their deserting; but when he applied to the Governor and Council of New York he could obtain no redress. *Signed*, Rog. Wright. Sworn 9 Jan., 1697. 2 *pp. Endorsed*, Recd. 12 Jan. Read 26 Jan., 1697. [*Board of Trade.* New York, 7. *No.* 5.]

Jan. 26. **629.** Abstract of the grievances of Lieutenant Roger Wright concerning the ill-treatment of the soldiers of the New York Companies. (1) Lieutenant Wright has several times mounted the main guard at Albany with twenty-eight privates, when half of the men were bare-legged and bare-footed, and several without a shirt to their backs. Captains Hide and Weems, when applied to, instead of helping the poor soldiers, would violently beat aud abuse them, which led to much desertion. (2) At Christmas last three sergeants of Captain Hide's company very modestly went to him, asked him to give them a little money and place it to their account, instead of which he abused them, with the result that four days afterwards two of the sergeants deserted with five privates more, and a fortnight after ten more men of his company deserted from Senectady.

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(3) The hardships put on his company by Captain Hide occasioned so much desertion that the complement in May last had been reduced from 100 to 43 men. It is hoped that the Council of Trade will regard Captain Hide's scurrilous reflections upon Lieutenants Wright and Sydenham as malicious; for if they had been guilty of them they could have been tried by court-martial. As to his trumped-up account that he disbursed his six months' subsistence on necessaries for his company, the Commissaries of New York positively declare that they have only received 120 dollars from Captain Hide and 130 dollars from Captain Weems. In July last Lieutenants Shanke and Wright applied to the said Commissaries for a private man's allowance for one month's subsistence. The Commissaries agreed to give it on their note, but they said that they would not be concerned with the two Captains, for they were then indebted £900 to £1,000 to the said Commissaries, who marvelled how the two Captains had embezzled the six months' subsistence received by them in England. Captain Hide never mustered his company in New York, but asked Wright to sign a false muster. The embezzling of the men's pay drove many to desertion, and the neglect of their complaints drove the officers to resign their commands. *Signed*, Rog. Wright. Sworn, 9 January, 1697. 2 *pp. Endorsed*, Recd. 12 Jan. Read 27 Jan., 1697. [*Board of Trade.* New York, 7. *No.* 6.]

Jan. 26. **630.** Abstract of the grievances of Lieutenant Matthew Shanke against the Governor and Captains of New York. (1) He served as First Lieutenant to a company of Grenadiers raised for New York. (2) After several months' duty in England the company received and spent its pay there, and was then transported to New York. (3) Governor Fletcher received clearings for the two companies to 1 Januuary, 1691, but kept the pay in his hands for nine or ten months after his arrival in New York, contrary to law, and before he allowed Lieutenant Shanke his pay deducted 30 *per cent.* for all the money received and spent in England. (4) This stopping of 30 *per cent.* for the said money brought the two companies into debt and caused the men to desert. (5) Lieutenant Shanke has been kept without subsistence for eighteen months at a time. The place where he was was so poor that he could obtain no credit, and as the Governor took no care for his subsistence, it was impossible for him to live. (6) Governor Fletcher, knowing the companies to be thin, would not write to the King for recruits, but asked that the King would make them up to hundreds. They were about half-companies when they arrived at New York. There has been no muster-roll returned according to law for five or six years. (7) The companies have received only one mounting and a second mounting in near six years. This has made the men desert. Many of those that remain are almost naked, some have neither shoes nor stockings, some no shirts, some no breeches, so that they look more like the Black Guard than forces in the King's service. (8) The Governor sent an order to the Sheriff of Albany to muster the forces in garrison there. The Captains asked him to sign false musters, which he refused to do. He was thereupon huffed and shortly afterwards turned out of

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his place, which was given to one who was made Lieutenant in Sydenham's place. (9) The company to which Shanke belonged consisted on its first arrival of three commissioned officers, eight non-commissioned officers and drums, and sixty men, the weekly subsistence of which Company is £13 15*s*. The desertions, owing to their hardships, were so many that now there are not above thirty men of all ranks. These thirty were subsisted for several years together for 12*s*. 6*d*. a day, which left over six pounds a week of their subsistence in the Captain's pocket. (10) There was a Sergeant Malby in Governor Sloughter's own company, who served as Sergeant six weeks. After Governor Sloughter's death Colonel Ingoldsby promoted him Lieutenant, in which post he served thirteen months. On Governor Fletcher's arrival Malby applied to him for pay to discharge his debts contracted in the service, which Governor Fletcher refusing, Malby was obliged to leave the country secretly without satisfying his creditors. (11) One Lieutenant Hutchins, holding the King's commission, commanded at Albany when Governor Fletcher first arrived. He was brought a prisoner to New York and dismissed the service without a court-martial. (12) One Simms, Lieutenant Shanke's youngest lieutenant, came from England with Governor Fletcher, who upon his arrival made him Captain of one of the companies raised by the country for defence of Albany. He served in command of it for one year, when the Governor gave the company to Colonel Ingoldsby, and Simms was sent master of a ship to Jamaica. Though he has been absent four years, he is still continued in pay. (13) Lieutenant Shanke wanting money for his subsistence, applied to Governor Fletcher, who replied that he had none. The Governor also refused to draw a bill upon the Agent, saying that if he wanted money, Mr. Honan, his private secretary, would advance it. This Shanke was obliged to do, and give Honan a bill for £23 for £20 received. (14) Lieutenant Shanke was forced to live on centinel's allowance for several months that is on salt beef, pork, pease and bread, at five pence a day, New York money. He applied to the Governor for relief, but obtaining none was forced to resign his command and come to England. *Signed*, Math. Shanke. Sworn 9 Jan., 1697. 3 *pp. Endorsed*, Recd. 13 Jan. Read 26 Jan., 1697. [*Board of Trade.* New York, 7. *No.* 7.]

Jan. 26. **631**. Answer to the complaints of Lieutenants Wright and Sydenham against Captain Hide. On the 28 December, 1696, your Lordships heard the complaints of Lieutenants Wright and Sydenham against Captains Hide and Weems. I thought that for their own sakes they would have troubled you no farther, but finding that, contrary to your order to make their complaints distinct, they have yet joined both officers together, I must trouble you again from the beginning of the matter so far as it relates to Captain Hide. In May, 1696, Lieutenant Wright complains to the Governor and Council of New York that Captain Hide's company had received full subsistence to 10 February, 1694-5, that they were in arrear of it from 1 August to that time, that the company had received bounty from the Queen for fighting the French at sea, and lastly that had the subsistence been duly paid, it would have

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hindered the soldiers' extravagances. Upon examination by the Council it appeared, unfortunately for Mr. Wright, that all his allegations were false, for the subsistence was paid only to the 29th of January; he had cleared with all his officers to that time, and the soldiers were subsisted in provisions. No bounty was given by the Queen for fighting the French at sea, and the chief reasons for the men's deserting were Lieutenant Wright's mutinous discourses and letters to the men, and his debauching of them. Lieutenant Sydenham also preferred complaints against both captains of much to the same purpose as Wright's. On examination the Council of New York could make nothing of them, except that Sydenham by his own confession had been well cudgelled. The complaints of their officers, Captain Hide's answers and the reports of the Council of New York are all in Mr. Popple's hands. The frivolity of the charges may there be fully seen. Wright and Sydenham found that they could obtain no credit in New York and were under an ill character on many accounts, and in particular for not resenting some affronts put on them. They earnestly begged the Governor's permission to resign, which at last he granted; and on their arrival in England they prefer new complaints, whereof some are false, but none affect Captain Hide. In his three first articles Lieutenant Wright says that the men were under great hardships for want of clothes, shoes and stockings, that when they complained of this they were abused and that therefore they deserted. I believe the first part of this to be true, for it is no wonder that the men should be in want of necessaries after three years, but that officers should beat men for this reason only is incredible. It is plain that no officer has a fund there to supply the clothing. It appears by Captain Hide's account that he furnished what he could towards a second mounting, and if supplies have not gone sooner from hence it must be imputed to the funds here, which did not give the clothier here sufficient encouragement to undertake it. As to what he says is due from Captain Hide to the Commissaries, the Pay Office will certainly stop it upon him, if it be true. As soon as the charge of the company is sent here from New York, it is always placed to account. As to the want of musters and requests to sign false musters, the truth of this can best be known from the Captains themselves. Lieutenant Sydenham has nothing in his articles which seem matter of complaint. His two first articles say that the Captains left New York and Boston without paying their quarters. If that were true the Colony would have written to their Agents here to have the money stopped in the Pay Office, as is the daily practice in England. The third article concerns the reckoning more for sea provisions than the King does. I desire that the officers in New York may answer to that themselves; and then by comparing their answer with the charge at the Victualling Office, the truth will appear. The fourth and fifth articles are not made out, whatever the Captains' answers thereto; but granting them to be true, their accounts stand chargeable for what they have not rightly disbursed and the King has the remedy in his own hands. I would remind you of an account of Captain Hide's, now before you, shewing how he disbursed the money which he received at Plymouth before he embarked. If his difficulties be considered, first in raising and

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shipping them to that country and next in keeping landsmen eleven months on board, with the great care, trouble and expense incident thereto, he conceives that his extraordinaries will be found necessary and unavoidable. On the allegations of these Lieutenants it may be observed (1) that Captain Hide is not charged with detaining one farthing which was due to his officers, which makes their complaint look strange, (2) that all the hardships of the soldiers from want of clothes and a punctual supply is no more than has been represented in every letter from the Governor, for which a remedy must be found in England and not in New York, (3) that, as regards their insinuation that Captain Hide has defrauded his men, it is evident that the men have been constantly supplied with provisions, and equally certain that the King's pay is not large enough to allow the men both pay and provisions; so that, if he had any money in his hands, the Pay Office is a check upon him and will make him account for it. Since these two Lieutenants had no personal injustice from Captain Hide to complain of, there must be some secret reason for it, which can only be imputed to their apprehension lest their character and ill-behaviour, and how far these contributed to make the men desert, should be expressed. Mr. Wright had his commission full three months before he came near the company, and was like to have been left behind if the ships had not been accidentally forced back, and had they not every day been expected to sail. Mr. Sydenham had been called to account for deserting his command a considerable time without leave, and for assisting one of Colonel Northcott's officers to make false musters with two or three files of men, who in recompense gave him two French Papists, whom he brought over and whom the Governor was forced to secure on suspicion of their going to Canada. How the two Lieutenants behaved themselves in New York will sufficiently appear in the annexed extracts of several letters from Governor Fletcher and Captain Hide, which were laid before you, and which I request may accompany any report that you may make. 5½ *pp. Endorsed*, By Mr. Southwell. Read 26 Jan., 1697. *Annexed*,

631. I. Extracts from letters from Governor Fletcher to Sir Robert Southwell. 30 *May*, 1696. Captain Hide is come here to recruit his company. He is a very honest gentleman and a careful, good officer. He has a very vicious, troublesome man for his lieutenant, by name Wright, who is a disgrace to the worthy Captain. 18 *September*, 1696. Captain Hide has not lost his time in the Army. He understands his duty in every punctilio. One of his lieutenants, Wright, has articled him to me and the Council—the papers are sent to the Plantation Office—and that Lieutenant and two more have importuned me to be discharged even to the wearing out of my patience. They have quitted the service by resignations, signed and sealed. Two of them, Shanke and Wright, are the most debauched, drunken beasts I have ever seen. 10 *June*, 1696. Captain Hide is with me, plagued with a vicious, drunken lieutenant, one Wright, who may vex him, but can never hurt or wound his reputation, as things appear to me which are

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transmitted by the Captain's request to the Plantation Office. 22 *August*, 1696. Three lieutenants have importuned me by several letters during several months to quit their commands, and at length have brought me their resignations. I have granted commissions to men whom I am sure are better, one Bickford, who served in Ireland, in place of Shanke, and Young in place of Sydenham. Wright, a lewd, debauched fellow, is succeeded by Mr. Olliver, who came over with the Captain. I never saw so drunken a beast as Wright, nor so factious a fellow. *Copies, certified by Sir Robert Southwell.* 2 *pp. Endorsed*, Read 26 Jan., 1697.

631. II. Extracts from Captain Hide's answer to Lieutenant Sydenham's complaint at New York. 13 July, 1696. To expose this Sydenham's cowardice I must acquaint you that he was lately very well caned and cudgelled at Albany, that he ran with a pistol in his hand crying "Assault and battery." His letter to you from Senectady shows his poor spirit and weakness of sense, when he acquaints his Captain-General that he stood looking on over the stockades when a party of cowardly skulking Indians came and scalped and carried away some of the inhabitants. He dared not send to their relief nor as much as fire a gun from that fort, though he was near enough, which would have frightened them. In an English garrison he would go near swinging for it. He brought a cargo of peddling trade with him, and has minded the handling of that more than his duty. He is so factious a man and so rank a coward that he is a scandal to all who hold the King's commission and beneath any officer to march in one rank with, besides the danger of entrusting the King's service to a man who will take a caning as patient as a pack horse. 9 *June*, 1696. To give Wright's character without malice and as favourably as I can—he is a drunken, vicious fellow who can take a kicking as patient as a dram of Nantz. He is so talkative in his cups with all the scoundrels (for none other will keep him company) that he lashes all without any regard. He was sent for before the Committee some days ago, I suppose after taking a large morning draught of rum. Some word being moved him from the Council, Mr. Wright puts out his tongue, winks one of his eyes, and screws his mouth up with a whistle and says "Damme, I am for the King, gentlemen, and you may do what you please, and I know the laws and Acts of Parliament." He is now at Albany, whence I hear that he is corrupting the new recruits, telling them that the Assembly's groat a day is a mere sham and that they will never have a penny of it. I think this is the beginning of mutiny; he is an intolerable fellow and enough to vitiate a whole army. I should want three quire of paper to write down all his

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scandalous actions. *Copies.* 2 *pp. Endorsed,* Read 26 Jan., 1697. [*Board of Trade.* New York, 7. *Nos.* 8, 8 I.-II.]

Jan. 26. **632.** Answer of the New York Agents to Lieutenant Sydenham's complaints against Governor Fletcher. *Articles* 1, 2. It does not appear that Lieutenant Riggs makes any complaint. Governor Fletcher had no money of these officers in his hands; and it seems that Mr. Sydenham's manner made no impression for his credit. *Articles* 3, 4. The principal hardships of the King's soldiers in these parts are caused by the reduction of their money, and the Governor cannot supply that defect out of his own pocket. The soldiers receive what is allowed them by the public, and more cannot be expected. *Article* 5. It is not likely that the Governor wrote as is here set forth, but the denial here alleged is a palpable and demonstrable untruth. *Article* 6. This is an allegation contrary to the practice of victualling the forces at Albany. It seems unreasonable that the Governor should suffer any such disorder, by which he receives no profit, nor indeed credible unless proved by better evidence. *Article* 7. Any defects in the number of the King's companies at New York are due chiefly to the ill-management of such officers as the informer, and the destruction of the country is to be attributed to the same cause. *Articles* 8, 9. The breaking of the company of fusiliers at Albany was occasioned by the want of a fund to subsist them. In April or May last the advance-money and additional pay was levied by a tax on the country, but it could not be got in till near the end of the year; and the men could not be paid before the money was in the Treasury. 1 *p. Endorsed,* Read 26 Jan., 1697. [*Board of Trade.* New York, 7. No. 9.]

Jan. 26. **633.** Answer of the New York Agents to Lieutenant Shanke's second complaint. *Articles* 1, 2. Admitted to be true. *Article* 3. Governor Fletcher arrived towards the end of August, 1692. There was then some dispute as to the disposal of £1,100 which Governor Sloughter had received in England for the two companies, and there might be unavoidable delay before the money was recovered from his executors. The deduction of 30 *per cent.* is agreeable to the King's establishment for the province of New York. *Article* 4. The victualling of the men and the amount stopped for their clothing in England amount to more than their pay; consequently they are in debt and in want of encouragement. *Article* 5. No man can live eighteen months without subsistence. It is true that the place is poor, but Mr. Shanke's want of credit is due to another cause. The Governor had constantly taken care for victualling the force there; and that living had been possible is plain from the fact that as good officers as Mr. Shanke have lived and do now live in the place. *Article* 6. Governor Fletcher has often written for recruits; several musters have been made, and the rolls doubtless have been sent, though probably some of them have miscarried; and this can be proved. *Article* 7. The men have had all the clothing that has been provided for them. *Article* 8. The Governor's sending his order to the Sheriff to muster the forces at Albany shows

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his desire to have fair muster-rolls returned. If the Captains desired him to sign false musters, they must answer for it. Major Ingoldsby will soon be in England and can give a full answer. The assertion that the Sheriff was turned out for the reason alleged by Mr. Shanke is malicious scandal. *Article* 9. Major Ingoldsby can answer this when he arrives. *Article* 10. Soon after Governor Sloughter's arrival Lieutenant Bradshaw, of his company, was made Captain of fusiliers in Albany, and Sergeant Malby promoted Lieutenant in his place. Soon after Governor Fletcher arrived Bradshaw died, and his widow demanded and received his pay. If anything be due to Malby it is from her. But Malby did not leave the country, as Mr. Shanke alleges, for he served for a considerable time in the country's pay after Governor Fletcher's arrival. *Article* 11. Lieutenant Hutchins had the King's commission for Lieutenant, but being an ignorant, drunken, factious fellow his commission was superseded and the place given to Peter Mathews, who came over with Governor Fletcher. He was accordingly installed and Hutchins dismissed. If this offend Mr. Shanke, it was the King's pleasure. *Article* 12. Governor Fletcher did give Lieutenant Simms leave to go to Jamaica to adjust some accounts in that island. Simms is now in London and will answer this article himself. *Article* 13. The reason why the Governor paid Mr. Shanke no money and refused to draw a bill for him was that he had no money of Mr. Shanke's in his hands and Mr. Shanke's credit was insufficient. If Shanke made an ill bargain with Mr. Honan, it was because he could not procure money on better terms elsewhere. *Article* 14. If Mr. Shanke subsisted on a centinel's allowance it shows his good husbandry and that he must be a great gainer by his commission. It shows great weakness not to be able to live where other men can in the same circumstances. If the station of a soldier and the fatigues of war were too hard for Mr. Shanke, he has done well to resign. His place is filled by one well satisfied therewith and able to live on his pay and discharge his duty. 2½ *pp.* *Endorsed*, Recd. 20 Jan. Read 26 Jan., 1697. [*Board of Trade.* New York, 7. *No.* 10.]

Jan. 26. **634.** Certificate of the strength of the New York companies, by the last muster-rolls taken in July, 1693. The Governor's company: 3 officers, 68 non-commissioned officers and men, besides 1 gunner and 2 matrosses. Captain Ingoldsby's company: 3 officers, 68 non-commissioned officers and men. 1 *p.* *Endorsed*, Recd., Read 26 Jan., 1697. [*Board of Trade.* New York, 7. *No.* 11.]

Jan. 27. **635.** Petition of the Bailiffs, Capital Burgesses and Merchants to Newfoundland in the borough of Bridport, to the King. We have heard of great devastations committed by the French in Newfoundland in September and November last, whereby not only have great losses been suffered, but the English fishery in those parts is in danger of being lost. We beg you to consider some means for recovering the Colony from the French and for the protection of the English in their fishery. *Forty-eight signatures.* 1 *p.* *Endorsed*, Recd., Read 27 Jan., 1696-7. [*Board of Trade.* Newfoundland, 3. *No.* 33.]

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Jan. 27. **636.** Petition of Samuel Sewall and the other Proprietors of King's Province and Providence Plantation in America. We have spent many pounds in purchasing and settling the above plantations and made considerable progress therein, while they were included with Massachusetts and the other Colonies under Sir Edmund Andros's government, but since the alteration they have had no protection or settlement under any government, which partly obstructs our improvements, and is a disadvantage to the Crown. We beg, therefore, that we may be again put under Massachusetts or otherwise as may seem best for the Crown's service and our advantage. 1 *p. Endorsed*, Recd., Read 27 Jan., 1696-7. [*Board of Trade.* New England, 8. *No.* 59; *and* 36. *p.* 113.]

Jan. 27. Admiralty Office. **637.** William Bridgeman to William Popple. In reply to yours of yesterday, orders are given for two of the men-of-war now going to the West Indies to carry a number of men above their usual complements, one hundred of which are designed for recruits to the Southampton and Reserve. The men-of-war designed to convoy the trade from Virginia, in pursuance of the King's Order in Council, are ready and will have their instructions to sail in a day or two. *Signed*, Wm. Bridgeman. ½ *p. Endorsed*, Recd., Read 27 Jan., 1696-7. [*Board of Trade.* Plantations General, 4. *No.* 28; *and* 34. *p.* 97.]

Jan. 27. Whitehall. **638.** J. Ellis to William Popple. I am ordered by Mr. Secretary Trumbull to inform you that the King would have the Council of Trade consider what may properly be added to the instructions from the Lords of the Admiralty to the commander of the squadron going to the West Indies, in relation to Newfoundland or any other part of the King's dominions in the West Indies. *Signed*, J. Ellis. ½ *p. Endorsed*, Recd., Read 28 Jan., 1696-7. [*Board of Trade.* Plantations General, 4. *No.* 29; *and* 34. *p.* 98.]

Jan. 27. Jamaica. **639.** Governor Sir William Beeston to Council of Trade and Plantations. This island is now in as perfect health as any place can be, and would be so to all people if they would time their coming so as not to arrive here in June and thence on to the end of September, as most have done for the last four years. This has cost the King many subjects and the island much strength, has discouraged trade and brought a disreputation upon the place, for it has been sickly all over the West Indies for five years past and much worse in most places than in this. The ships of war by coming hither ill-manned have continually pressed, thereby taking and frightening away most of our seamen and ordinary persons. By this we are much weakened, there are no seamen left to sail our vessels (by which trade is decayed), no men to man our privateers, and few men left in the country but masters of families. Moreover, the Northern plantations, that used to furnish us with provisions and necessaries, come not near us, whereby provisions are become scarce and dear, which much discourages the inhabitants. I send the public accounts till Mr. Broughton ceased to be Treasurer and Mr. Beckford took his place. I send also several papers which shew the management of Colonel (*sic*) Kirkby, commander of the Southampton, and the reasons why I ordered him to go home convoy of this fleet. These

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I submit for your consideration, believing that the King ordered his ships of war hither for the defence and encouragement of his subjects, and not to injure the place nor disturb the Government, nor hinder and obstruct his service. Captain Moses of the Reserve has done like a brave man in gaining intelligence and taking Grubbin, a renegade of this island, who has robbed and plundered most of our out coasts. I have thanked Captain Moses in Council and given him a present of £100. Mons. Ducasse has sent to demand Grubbin of me as a naturalised subject of France and married there, and has kept as a hostage one Price, who, he tells me, if I use any violence on Grubbin, shall fare accordingly; but that shall not hinder me from causing Grubbin to suffer whatever the law may condemn him in, nor do I think that Mons. Ducasse will venture to do anything to an innocent man for the punishment of a criminal.

These parts have been full of French ships of war and privateers during the past year; insomuch that most of our ships have been taken either coming hither or returning home, to the vast cost of the merchants and inhabitants. As for our men-of-war, though they press continually they never have a complement of men sufficient to venture them out, lest the enemy should overpower them. There are now eight ships of war at Petit Guavos, and they tell me that Mons. D'Amblemont is daily expected from Martinique with fifteen more, besides bombs, tenders, etc., and whether their design be against us or the Spaniards we know not, nor can learn from them. Yet I believe they have some notice of a peace, for they have sent down the flag of truce I sent to them and our prisoners, and have given me some hints of it. We know not nor have heard anything of it nor have had any direct news from England since May last, which much concerns the people here and gives them occasion to think that little notice is taken of the place; for this squadron of Mons. D'Amblemont's is the fourth that has been here since January last, yet we have not had notice of any of them. We have no correspondence with the Windward Islands, so that let what storm soever be gathering against us at Martinique, the Governments never give us notice. If the war continues, pray be favourable to this place (which is of more importance to the Crown than all of them). If you will order the Governors on all occasions to send me advice we will pay the expense of the sloops that bear it. *Signed*, Wm. Beeston. *Holograph.* 2 *pp.* *Endorsed*, Recd. 9th. Read 10th Nov., 1697. *Enclosed*,

639. I. Copy of an order from Captain Richard Kirkby to Captain William Wakelyn, of H.M. hired ship Princess Ann, 25 August, 1696. Since the Lieutenant-Governor intends not to send your ship abroad before the return of the Reserve and of my own ship from the cruise appointed to us, it is his opinion that you shall spare us men to make up our complement for the present service. You will therefore send at once on board my ship the seven men you last pressed, and eight more. *Dated*, H.M.S. Southampton, Port Royal. *Scrap. Certified copy.*

639. II. A second copy of No. I. *Endorsed*, Recd., Read 6 Jan., 1696-7.

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639. III. Captain Kirkby to Sir William Beeston. H.M.S. Southampton, Port Royal, 4 Dec., 1696. I have just received your order of 2nd inst. to place my ship near Gun Island, in which order you respect Captain Moses as on the square with me. I must therefore acquaint you that where two of the King's ships are on service together, the command rests with the eldest officer. I think too that the Admiralty, by giving me authority to fill vacancies of officers, have sufficiently distinguished me from any captain for you to have perceived the difference. I therefore desire you will do me justice, as my post gives me naturally the command in time of service of all vessels and boats that are upon the water where I am present. I have not yet received orders from you as to fitting the fireships, without which I cannot undertake to receive them into my charge for that purpose after the appraisement. I shall sail for Gun Island as soon as the wind is favourable. *Copy.* ½ *p.*

639. IV. Governor Sir William Beeston to Captain John Moses. 28 December, 1696. I desire you to agree for any sloop you like in the harbour of Port Royal to go up with to Hispaniola to get a prisoner. What you agree for shall be complied with by me. Having got a fitting sloop, if you will provide her with men and provisions out of H.M. Ship Reserve and give me notice of it, you shall have what orders are necessary for your further proceedings. *Certified copy. Scrap.*

639. V. Order of Captain Kirkby to Captain John Moses, of H.M. Ship Reserve. 29 December, 1696. Whereas by Colonel Beeston's order of 28 December, 1696, you are directed to hire a sloop, in order to proceed to Hispaniola, and to supply her with men, ammunition and provisions from H.M.S. Reserve, you are hereby required not to absent yourself from H.M. ship under your command on the said occasion, nor to incapacitate her for service daily expeeted by sparing men, ammunition, etc., for fitting out any vessel for the above mentioned design.

Certificate of the authenticity of the above order. *Copies.* 1 *p.*

639. VI. Sir William Beeston to Captain Kirkby, 30 December, 1696. The Admiralty have left to my consideration which of H.M. ships to keep for the service of the island, and which to send home. I have seriously considered the question and have taken the opinion of the Council thereon, and I conclude that it is most conducive to the King's service that your ship should go for England and the Princess Anne stay here. You are therefore hereby ordered in pursuance of the Admiralty's orders to prepare H.M. Ship Southampton under your command forthwith in order to sail convoy to the homeward bound fleet on 10 January next. Any further orders necessary

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to your voyage shall be sent to you. *Copy*, in Sir William Beeston's hand. *Scrap.*

639. VII. Governor Sir William Beeston to Captain Moses. 30 December, 1696. The advice which we received of Mons. D'Amblemont's coming with fifteen ships of war obliged me for the King's service and the safety of the island to send up a flag of truce to Petit Guavos to discern what I could of their strength and designs. Since it is a month since she sailed and nothing has been heard of her I conclude that she is detained. Meanwhile the fleet of merchant-ships has been stopped, and the island put to the great trouble and charge of drawing all the troops, one every week, to their several rendezvous. This is a great burden to the people, from which I cannot deliver them without some certain intelligence of the enemy's designs, unless by your offer to go in a sloop, if I provide one, with some of your men to take one or two prisoners or obtain information of the enemy's designs. I think that this will be much for the King's service, and you will therefore on receipt hereof sail with the said sloop and a fitting number of your men to the coast of Hispaniola and there do your best to gain intelligence. The whole direction hereof is left to your discretion, only if you see any great number of ships making towards this island or hear of any design against it you will return with all expedition. *Copy.* ½ *p.*

639. VIII. Copy of Minutes of Council of Jamaica. 4 January, 1696-7. The Governor laid his orders in relation to Captain Kirkby and Captain Moses before the Council, who entirely approved thereof. 2½ *pp.* [*Board of Trade.* Jamaica, 8. *Nos.* 44, 44, I.-VIII.; *and* (*without enclosures*) 56. *pp.* 146-150.]

Jan. 28. **640.** Minutes of Council of Maryland. Orders of the Governor for all masters of ships to make a sworn statement at their entry that they have observed the Acts of Trade and Navigation; and that the law-officers advise whether it be legal that persons against whom judgment has been obtained for forfeited securities, but respited, should convey away their property to save themselves. [*Board of Trade.* Maryland, 13. *pp.* 217-218.]

Jan. 28. Whitehall. **641.** Council of Trade and Plantations to the King. Hearing of no opposition to the confirmation of the Act of Barbados concerning Philip Kirton's land, and having received the opinion of the Attorney and Solicitor General thereon, we think that the said Act may rightly be confirmed. *Signed*, J. Bridgewater, Ph. Meadows, Wm. Blathwayt, John Pollexfen, Abr. Hill. [*Board of Trade.* Barbados, 44. *pp.* 47-48.]

Jan. 28. Whitehall. **642.** Council of Trade and Plantations to the King. Recommending that Richard Johnson and Charles Scarburgh be confirmed as members of the Council of Virginia. *Signed*, J. Bridgewater,

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Ph. Meadows, Wm. Blathwayt, Jno. Pollexfen, Abr. Hill. [*Board of Trade.* Virginia, 37. *p.* 26.]

Jan. 28. Whitehall. **643.** Council of Trade and Plantations to the King. We have made due enquiries and received answers from the Proprietors of the Bahama Islands as to the appointment of Captain Webb to be Governor thereof. [*See Nos.* 588, 602.] Since, however, his salary of the seventh of the rents will not amount to above £100 a year, and great exorbitances have been committed in those Islands by the harbouring of pirates and violation of the Acts of Trade, we think that a larger salary should be allowed to him, and that security should be taken of him to deter him from the like practices. All of which being complied with, we see no reason why his appointment should not receive your royal approval. *Signed,* J. Bridgewater, Ph. Meadows, Wm. Blathwayt, Jno. Pollexfen, Abr. Hill. [*Board of Trade.* Proprieties, 25. *pp.* 29-30.]

Jan. 28. Kensington. **644.** Order of the King in Council. That the Council of Trade make further enquiry as to Nicholas Webb's behaviour towards the King and the present Government, and report thereon. [*Board of Trade.* Proprieties, 25. *p.* 32.]

Jan. 28. Whitehall. **645.** Council of Trade and Plantations to Mr. Secretary Trumbull. In reply to Mr. Ellis's letter of the 27th, we must acquaint you that we have not been informed of any instructions given by the Admiralty to the Commander of the Squadron going to the West Indies, nor of how many ships, nor upon what design they are going, nor for how long they are victualled, nor how long they are to stay in those parts, so as to judge when they will be upon their return home or from what parts, and so as to determine the proper times and seasons when they might be employed elsewhere. We submit, however, that if the squadron pass the Gulf of Florida in their return home towards the month of June, the Commander-in-Chief may be ordered (if there be no objection) to detach two or more ships to the Capes of Virginia, where the Captains may inform themselves of the condition of those Colonies in relation to the French, and thereupon proceed as the Governor there shall advise or direct, with order to rendezvous after this service on the Eastern coast of Newfoundland. We further think that, on the supposition aforesaid, the Commander of the squadron may send one or two ships more to the coast of New England to proceed in like manner in relation to the French; as also that a light frigate be detached to Bermuda to take information of its condition and to be assisting as may be requisite. These ships sent to New England and Bermuda should also rendezvous on the English part of Newfoundland; to which we submit that the rest of the squadron may repair and proceed against the French in such manner as a Council of War, composed of the officers of the Newfoundland and West Indian squadrons and of the land-officers that shall be within call, shall, after regard to any further instructions from the King, think most expedient. For it is apprehended that the French squadron lately gone to America will also call at Newfoundland on its way home and do all that in them lies to

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secure their own possessions there and annoy the King's subjects. *Signed*, J. Bridgewater, Ph. Meadows, Wm. Blathwayt, John Pollexfen, Abr. Hill.

P.S.—We beg for early information as to Newfoundland, that we may acquaint the merchants, who are awaiting a final answer in order to continuing or relinquishing their trade. [*Board of Trade.* Plantations General, 34. *pp.* 98-100.]

Jan. 28. Whitehall. **646.** Council of Trade and Plantations to Mr. Secretary Trumbull. In reply to your question as to the number of ships preparing by the West India merchants, besides those ready to sail by the first convoy, the merchants report as follows:—The whole of the ships for the Leeward Islands, being nine or ten, are cleared and ready to sail. The Barbados merchants will send no more ships than will be ready to go by this fleet. The Jamaica merchants have four ships ready, and are preparing three others, which they hope to have ready in time to sail with the rest. *Signed*, J. Bridgewater, Ph. Meadows, Wm. Blathwayt, John Pollexfen, Abr. Hill. [*Board of Trade.* Plantations General, 34. *p.* 101.]

Jan. 29. **647.** Council of Trade and Plantations to Secretary Trumbull. In reply to the King's order to us to enquire of some of the merchants trading to Newfoundland whether they would undertake to provide victuals for the land-forces of the expedition, we have consulted Sir Joseph Hern—the only person among them whom we could think likely to embrace such a proposal. He answered that he never was engaged on any such undertaking, and should be at a loss to know how to proceed in such a case as this, and he added that the Victuallers would be likely to provide victuals more speedily than anyone else, and at no greater cost. *Signed*, J. Bridgewater, Ph. Meadows, Wm. Blathwayt, Jno. Pollexfen. [*Board of Trade.* Newfoundland, 25. *p.* 77.]

Jan. 30. Whitehall. **648.** William Popple to the Mayors of Bristol, Exeter, Bideford, Barnstaple, Plymouth, Weymouth, Dartmouth, Poole and Fowey. The King has resolved to send a suitable strength of sea and land-forces to recover Newfoundland and protect that trade. [*Board of Trade.* Newfoundland, 25. *p.* 78.]

Feb. 1. **649.** Minutes of Council of Massachusetts. On the petition of Ruth Rowe, praying that all suits against her husband may be suspended till he be restored to his right mind, it was ordered that two persons, nomiated by her, should represent her husband and appear for him. Order for sale of a forfeited vessel. Leave granted to Joseph Simpson to build a house at the southerly end of Boston, abutting on the highway leading into the Neck. Order for payment of £5 to Captain Williams for arrest of a dangerous Indian, and for the said Indian to be transported. Order for payment of £16 to Bartholomew Green for printing of public documents, and of £4 10*s*. 0*d*. to Captain Ephraim Savage for the entertainment of two Frenchmen with a flag of truce. [*Board of Trade.* New England, 49. *pp.* 68-71.]

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Feb. 1. **650.** Minutes of Council of Maryland. Order for publication of a letter from the Commodore of the homeward bound fleet as to the time of sailing. Further order (dated 3 February) for all masters who cannot have their ships ready to sail by the 1st of March to give notice to one of the Council. [*Board of Trade.* Maryland, 13. *pp.* 218-221.]

Feb. 1. **651.** Memorial of Edmund Harrison. (1-3) It is more than ever necessary at this juncture to secure the English Colonies in America against the French and Indians, who may otherwise utterly ruin if not conquer them. (4) The English Colonies having been planted at sundry times and under different grants look upon themselves as so many distinct principalities, are jealous of each other and stand upon their separate laws and customs, to the prejudice and weakening of the whole. They may be 15 or 20 to one against the French, yet being without a head in so many small bodies and separate interests they may be an easy conquest to a smaller united party. (5) The French, knowing their advantage from the jealousy of the English provinces and their weakness owing to their divisions, may, if not prevented, attempt speedily the ruin of all those hopeful plantations, one after another. No further proof is needed than what they have already done in Maine, New Hampshire and Pemaquid, and their taking of Newfoundland will further that design. (6) It is therefore humbly proposed that the person who is sent Governor to New England may also be civil Governor of New York and New Hampshire and General of all the forces of New England, New York, New Hampshire, Connecticut, Rhode Island and the Jerseys, that by the union of their forces they may be able not only to oppose the enemies' designs but (with some assistance from regular troops) to remove the French from that part of America. (7) The designs of the French can only be prevented by the union of all the forces of the above colonies under one head, so that they may be able not only to defend but to offend. I in no way question a due compliance, for though New England and other places may have been discouraged by having mean and oppressive persons set over them, and though in strictness they may not be obliged to march out of their own territories, yet their cheerful attendance on Sir William Phips, in his unhappy expedition, sufficiently proves their readiness to obey if a person of honour and temper command them—one who may treat the English and their Indian allies with equal humanity and not break in on the grants and privileges of the several provinces, but will let them enjoy their just right without violation. (8) The uniting of New England and New York is of the utmost necessity for the good of both and most expedient for the support of the Governor; and as the King pays the Governor of New York it is supposed that he will do the like for the Governor of New England. The two allowances would maintain a man of quality and honour in a reputable port, but without them he cannot subsist unless a very large allowance be made to him. *Signed,* Edm. Harrison. 1 *p. Endorsed,* Recd. Read 1 Feb., 1696-7. [*Board of Trade.* New England, 8. *No.* 60; *and* 36. *pp.* 116-118.]

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Feb. 1. **652.** Memorial of the Agents for Massachusetts to Council of Trade and Plantations. In our last letter from Boston there is the following memorial as to New Hampshire, which we shall give you in the words of the Lieutenant-Governor and Representatives: —"It is also very requisite that you pursue the matter of annexing "New Hampshire to Massachusetts. There are many inconveniences "attending such a chasm in the very bowels of the province, which "is but a receptacle for our disaffected persons and for such as run "from us to evade their duty in the defence of the province. Nor "is it any convenience to the inhabitants there to be a distinct "province, for they have always complained that they cannot "support it owing to the smallness of their numbers. They have "but poor towns, of which Mr. Usher has split one to make them "look the larger. Besides they have been a particular charge to "us for relief and defence, and contribute nothing to answer any "part of our expense on them." *Signed*, Hen. Ashurst, Con. Phipps. 1 *p. Endorsed*, Recd. Read 1 Feb., 1697. [*Board of Trade.* New England, 8. *No.* 61; *and* 36. *pp.* 118-119.]

Feb. 1. **653.** Memorial of several proprietors and inhabitants of the Northern Colonies of America to Council of Trade and Plantations. We are under deep apprehension from the late attempts of the French, wherein we have in a manner lost our fishing, furs, mast, timber and peltry-trade alike in Newfoundland, New England and New York, so that unless the further progress of the enemy be checked it will end in the subversion of the Colonies. This will alter the King's honour and revenue and the interests of the nation as well as our private estates. We therefore beg you for timely protection and preservation of the Colonies, and that among other things some good form of government may be established by uniting the many interests occasioned by the divers and separate Governments. We think this the only means left to us for their preservation or for any attempt on the enemy. We do not conceive the thing to be impracticable in itself, but that a single Governor may be so established over the provinces as to ensure to each its civil rights, properties and customs, even as in England, where though there are divers corporations in several towns yet there is one Lord Lieutenant in every shire to command its forces. As the Governments were joined from 1686 to 1689 there arose great confusions, but the disorders that arose should not be attributed to the union of the Colonies but to the exorbitant and illegal commissions then granted and to the exorbitant manner of exacting the same. The inconveniences in the future will easily be prevented by sending a person of worth and honour, whose instructions may be so regulated as to render his government easy to all, honourable to the King and advantageous to the realm. We beg that relief may be given to us by the uniting of the several Governments under one head, or by such other means as you think fit. *Twenty-nine signatures. Memo.* Sir Henry Ashurst and Mr. Phipps blotted out their names. *Large sheet. Endorsed*, Recd. Read 1 Feb., 1696-7. [*Board of Trade.* New England, 8. *No.* 62; *and* 36. *pp.* 114-115.]

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Feb. 1. Crutched Friars.

654. Solomon Merrett to William Popple. I have received the following intelligence from Poole. The ship Two Brothers of Poole, Pinnell Phippard master, sailed from England under convoy of the Dreadnought and Oxford, left those ships about seventy leagues from England and anchored in the Bay of Bulls on the night of 3 November. Going ashore next morning he found all the stages burned, upon which he returned on board, when he was presently hailed from the shore, and going there again found 115 men, women and children who had been left behind by the French. These told him of the spoil the French had made of all the harbours to south of St. Johns, and that they were at Ferryland with two men-of-war of forty and fifty-four guns, who were only waiting for a fair wind to bring them up to St. Johns. They came up accordingly with the fair wind on the 10th, and Phippard sailed to New Parlican before they could catch him. When he left on 31 December he knew of but one ship in the land which went out with the last convoy, and left them about 100 leagues at sea. I fear that two ships which I sent out with the convoy are lost. On the 31st December the French had not been to northward of St. Johns, nor did the inhabitants fear any insult from them this winter, but they dread the spring, when the rest of the harbours must inevitably fall into the hands of the French unless prevented by early succours from hence. Our hope is that you will recommend the sending of such succours as soon as possible, and with the greatest possible privacy, or we shall certainly lose all the rest of the land, and the French may be able to thwart our designs. *Signed*, Solomon Merrett. 1 *p.* *Endorsed*, Recd. 1 Feb., 1696-7. [*Board of Trade.* Newfoundland, 3. *No.* 34.]

Feb. 1. Whitehall.

655. J. Tucker to William Popple. Last night Mr. Secretary moved the King in the matter of Newfoundland, when the King was of opinion that before any orders be given, a scheme should be drawn up and an estimate made of the several particulars suggested in the Council of Trade's representations of 21, 23 and 25 January. The King desires that the Council of Trade will look to this scheme and estimate. *Signed*, J. Tucker. 1 *p.* *Endorsed*, Recd. Read 1 Feb., 1697. [*Board of Trade.* Newfoundland, 3. *No.* 35; *and* 25. *p.* 79.]

Feb. 1.

656. Journal of Council of Trade and Plantations. Two letters from John Whitrow and John Warren of 26 January were read (*Nos.* 622, 623) on the business of Newfoundland, also Mr. Merrett's letter of this day's date (*No.* 654). Sir John Parsons offered to undertake the victualling of the expedition on certain conditions, which he was desired to draw up against to-morrow. Mr. Tucker's letter of this day's date read (*No.* 655).

An Order of Council as to the Bahamas of 28th January (*No.* 644) was read, and the Secretary's letter to Mr. Thornburgh approved.

Letter to Mr. Secretary Trumbull as to convicts for Barbados approved.

An Order in Council as to three ministers in Maryland was read, and a letter thereon ordered to be prepared.

Draft Act for a Post Office in America read; and order given for Mr. Neale to attend on Wednesday next. The New England Agents

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presented memorials from Mr. Harrison and others as to the uniting of New Hampshire with New England, and the uniting of all the Colonies in the North parts (*Nos.* 651, 653). Copies of Mr. Harrison's memorial ordered to be sent to Major-General Winthrop and Mr. Gilbert Heathcote.

Letters to Maryland, Virginia, and New York signed.

Feb. 2. Sir John Parsons presented his estimate for victualling 1,000 men for the Newfoundland expedition for 224 days (*No.* 644), which was reserved for consideration.

The Secretary was directed to write to the Commissioners of Sick and Wounded concerning the prisoner Breador (*No.* 666).

Feb. 3. Mr. Neale attended on the business of the American Post Office Act. Ordered that a copy thereof as amended by him be sent to the Governor of Massachusetts.

Letter to the Governor of Maryland, on behalf of the three ministers, signed.

Letter to the Master-General of the Ordnance and to the Commissioners of Transportation respecting the expedition to Newfoundland signed.

Feb. 4. Leave given to Lord Arran to inspect the records relating to his claim to territory in New England.

Draft Circular to the Proprietary Colonies approved.

Memorial of Robert Livingston received (*No.* 678) and consideration deferred.

The Commissioners of Transportation excused themselves for not having their estimate of provisions for the Newfoundland expedition ready, and received further notes for the preparation thereof. Mr. Bridgeman's letter of this day (*No.* 679) was read. Order for notice thereof to be given to the out-ports, and for a letter asking further information of Mr. Bridgeman to be written (*No.* 680).

Order for the Secretary to ask the East India Company for their suggestions as to a Treaty of Commerce with France.

Order for Mr. Gilbert Heathcote and Major-General Winthrop to be requested to hasten their answer to the memorials sent to them.

Feb. 5. The Commissioners for Transportation brought up their estimate for the Newfoundland expedition, which the Council at once despatched to Mr. Secretary Trumbull.

Governor Codrington's letters of 2 and 30 September, and 7 and 10 October received and read. Resolved to recommend Edward Parsons to succeed John Palmer as Secretary of the Leeward Islands, if Palmer be displaced. [*Board of Trade.* Journal, 9. *pp.* 381-392.]

Feb. 1. Whitehall. **657.** Council of Trade and Plantations to Mr. Secretary Trumbull. In reply to your enquiry in which of the Plantations the malefactors to be transported might be found most useful, we find that the only place disposed to receive them is Barbados, and we are informed by the Agents that there are persons here willing to take any numbers of such of them as are fit for laborious service, but no women, children nor other infirm persons. *Signed,* J. Bridgewater, Tankerville, Ph. Meadows, Wm. Blathwayt, John Pollexfen, Abr. Hill. [*Board of Trade.* Barbados, 44. *pp.* 48-49.]

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Feb. 1. Whitehall.

658. Council of Trade and Plantations to Governor Nicholson. We have first to apprize you that the design for establishing Admiralty Courts in the Colonies is still pursued, so that we suppose there will be no occasion for an Exchequer Court now for attainting juries as suggested in your former letter. The King has directed £20 each to be paid to the three ministers, Richard Sewall, Thomas Cockshutt and Joseph Bordley, from the funds of Maryland as they have not received the usual allowance here. The King has ordered expressly that all Captains of men-of-war on service in the Colonies are to be under the orders of the Governors, and that if they require seamen they must apply to the Governors, to whom the sole power of impressment is committed. The King has further ordered effectual laws to be made against the harbouring and entertaining fugitives and deserters, and that effectual care be taken to prevent the countenance or protection of pirates. Finally the King expects that the contribution to the defence of New York, as laid down by the late Queen, shall be punctually complied with, Maryland having complied but in small measure. *Signed*, J. Bridgewater, Tankerville, Ph. Meadows, Wm. Blathwayt, J. Pollexfen, Abr. Hill. [*Board of Trade.* Maryland, 9. *pp.* 26-29.]

Feb. 1. Whitehall.

659. Council of Trade and Plantations to Governor Fletcher. We have received yours of 13 July, 22 August and 17 and 18 September to Mr. Blathwayt, also two of 20 August, and one of 17 September to the late Committee. The matters therein, as also those represented by the Agents, have been laid before the King. The King approves of your method for keeping up the five Companies by raising the pay of the soldiers fourpence a day, and allowing £3 a head for enlisting new ones, for which you say that the Assembly has provided a fund until May next. You are to use your best endeavours for the continuance of the same methods until recruits can be sent from hence or until further orders. To remedy the harbouring of deserters and fugitives in the neighbouring provinces, the King has caused letters to be sent to all the Governors to pass effectual laws to prevent the practice, which letters have already been despatched to some Governments, and will be despatched to all as opportunity offers. You likewise will take care that this is done in your Government. Further complaints have also been made, especially from Jamaica, as to the entertainment of pirates in several places, and the King has given orders to the Governors of all Colonies to prevent the sheltering of pirates under the severest penalties. We must recommend this the more particularly to your care, since, by information given lately at the trial of several of Every's crew, your Government is named as a place of protection to such villains, and your favour to Captain Tew given as an instance of it. The King has confirmed the appointment of Caleb Heathcote to the Council, but as no one appeared to take out his warrant, it has lain for some while and still lies without effect. The reason given to us is that he is about to remove from New York; but you will take care for the future that Councillors recommended by you shall appoint somebody here to look after the despatch of what is desired for them. On your request and that of the Agents the King has directed an engineer to be sent

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to New York, together with four hundred fusils and a supply of warlike stores (*list given*). You will send us frequent and particular accounts of the consumption and remains of the stores sent to you, to guide us in sending you future supplies. On your representation of the great expense and little use of the Richmond frigate, the King has directed her to be recalled and another light and quick sailer to be sent over in her place, which is to continue cruising during the summer for the service of New York and the neighbouring provinces, and towards the beginning of winter to convoy any ships from America to the West Indies, staying there for defence of the Islands until the spring, when she will convoy the homeward trade to England. Another man-of-war will be sent to New York annually, to take her place, to be there against the end of each winter and to be employed in the services above mentioned. This seems to us the best method, but if it does not suit the season of your ships that carry provisions to the Southern Colonies, you will inform us. Several complaints have been made to us that the Captain of the Richmond had kept a brew-house and bake-house for the service not only of his own ship but of the merchantmen, and that he did not keep his complement complete. You will keep an eye on the King's ships in New York to prevent such irregularities in future. To enable you the better to do this, and generally to inspect the King's naval service in the province, the King has ordered the Commanders of his ships that are sent for the service and defence of any Colony to be under the direction of the Governor of each of those Colonies during their continuance there. Also, when the commanders have occasion for seamen they must apply to the Governor, to whom the sole power of impressing seamen is entrusted, and who will take care that such applications are duly answered. We observe with satisfaction your diligence in repairing to Albany upon advice of Count Frontenac's late expedition, his speedy retreat on your approach, and the care you were taking for the relief of your neighbour Indians and for confirming them in our friendship. Since you complain of the backwardness of several of your neighbour Colonies in furnishing their quotas, we have written to some, and, as occasion offers, shall write to all, that they observe the King's orders therein, so absolutely necessary to their common safety. Upon the information of the advantages gained by the French by their methods of insinuating themselves into the friendship of the Indians, and in particular by their sending some of them from time to time over to France, you must endeavour, as much as in you lies, to impress them with our power by accustoming some of our neighbour Indians to our manners, and sending some hardy youths among them to be inured to their fatigues and to learn their language, and especially by all the engaging arts that you conceive most proper to persuade some of them to consent to be transported hither, with assurance of their being well used in the voyage and kindly entertained here, so that they may be filled with an advantageous opinion of the King's greatness and power. We have received several papers from you besides those already acknowledged, and among them several Associations, but all of them (except one signed by a few civil officers in Albany County) defective in a very essential expression, which is not well. However,

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since then, the Agents have shewn us another in due form signed by yourself and the military officers, so we shall say no more of the first omission. We have also found among the papers a sealed copy of the laws which you had formerly sent unsealed. These, together with some earlier laws and the complaints of the three Lieutenants and Mr. Livingston, are under our consideration. *Signed*, J. Bridgewater, Tankerville, Wm. Blathwayt, John Pollexfen, Abr. Hill. [*Board of Trade.* New York, 52. *pp.* 68-77.]

Feb. 1. Whitehall. **660**. Council of Trade and Plantations to Governor Sir Edmund Andros. The King has directed two men-of-war to be sent to Virginia, probably arriving there in February, to convoy home the remainder of the merchant-fleet which is supposed to be left there. Though these ships will sail later than was intended we hope that they will yet arrive in time. One of them will bring you this letter. The King has confirmed Colonels Richard Johnson and Charles Scarburgh as members of the Council of Virginia. But on this subject of Councillors, a complaint has been made to us of a privilege claimed by the Councillors of Virginia, that they shall not be liable to any action for any cause whatever. The complainants add that in the General Court several persons sit as judges who have not taken the oath of a judge, whereby it is said that a plaintiff in any cause against a Councillor can have no remedy at law. This appears to us very unreasonable and hardly to be credited in the strict sense of those terms. We desire you to report as to this privilege, the reason for it, and as to the allegations of unqualified persons sitting as judges. It has also been represented to us that the engrossing of too large tracts of land in Virginia hinders others from settling thereon, and that, the quit-rents of these lands not having been paid, these may on demand thereof be the means either of raising a considerable sum for the King or (by the forfeiture and new division of these lands) of furthering more regular planting and improvement in future. This being a matter of great importance, wherein the property of many private persons is concerned, we have been unwilling to meddle in it without your advice, which we now require of you, fully and plainly. Now as to matters concerning the whole of the Colonies. On complaints of irregular behaviour of the commanders of some of the ships of war in the Colonies, the King has expressly ordered all commanders of his ships sent for the defence and service of the Colonies to be under the Governors of the respective Colonies, and that when such commanders require seamen they shall apply to the Governors, to whom the sole right of impressing seamen is committed. On receiving such applications the Governor shall take care that the ship be supplied with the number of men required. The King has further issued orders to all Governors of Colonies to take care that effectual orders be made against receiving and harbouring not only deserters, but such fugitives as shall leave any of the Plantations contrary to their laws; and you will observe this order. The King has further issued general instructions, which though not particularly applicable to Virginia, must be repeated to you, against the sheltering and entertaining of pirates. You will continue in future, as in the past, to observe the late Queen's orders as to

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furnishing your quota for the defence of New York. *Signed*, J. Bridgewater, Tankerville, Ph. Meadows, Wm. Blathwayt, John Pollexfen, Abr. Hill. [*Board of Trade.* Virginia, 37. *pp.* 27-30.]

Feb. 2. **661.** Minutes of Council of Jamaica. Upon intelligence of the arrival of Mons. Pointis's squadron in the West Indies it was resolved that the homeward bound fleet be stopped until further intelligence. [*Board of Trade.* Jamaica, 79. *pp.* 52-53.]

Feb. 2. Bideford. **662.** Richard Usticke to William Popple. I am to thank the Council of Trade on behalf of the merchants for yours of 30th ult., but they fear it will be too late to send any ships this year. I beg for a line if anything should offer for their satisfaction and encouragement. *Signed*, Richd. Usticke. ½ *p. Endorsed*, Recd. 6. Read 8 Feb., 1696-7. [*Board of Trade.* Newfoundland, 3. *No.* 36.]

Feb. 2. Dartmouth. **663.** Thomas Floud to William Popple. The merchants thank you for your signification of the King's pleasure concerning Newfoundland. Here are several ships designed for those parts, but unless the men can be protected from impressment the design must fall. There are seven press-ketches here, so that not a man can work for them. *Signed*, Thomas Floud. ½ *p. Endorsed*, Recd. 6. Read 8 Feb., 1696-7. [*Board of Trade.* Newfoundland, 3. *No.* 37.

Feb. 2. **664.** Estimate of victuals for 1,000 men for 224 days, total £12,840. The week was divided into two beef days, signifying 2*lb.* of beef a day *per* man; two pork days, or 1*lb.* of pork and 1 pint of pease *per* man *per* day; three fish days, signifying (in lieu of fish) 1 pint of oatmeal, two ounces of butter, four ounces of cheese *per* man *per* day. Also every day every man received a pound of bread and a gallon of beer. Tonnage required, 1,454 tons. 1½ *pp. Endorsed*, Sir John Parsons's estimate. Recd. Read 2 Feb., 1686-7. [*Board of Trade.* Newfoundland, 3. *No.* 38; *and* (*pecuniary items only*), 25. *p.* 80.]

[Feb. 2.] **665.** Copy of a receipt of Edward Lawford, purser of H.M.S. Duchess, for one hundred and twelve days' victuals for 640 men. *Printed form, showing the amounts and description of the victuals. Endorsed*, 19 Feb., 1645-6. [*Board of Trade.* Newfoundland, 3. *No.* 39.]

Feb. 2. Whitehall. **666.** William Popple to the Commissioners for Sick, Wounded and Prisoners. My letter of 30 October last, concerning the French prisoner, François Breador, was intended only for your information. The Council of Trade having had no further information about that matter have no further directions to give you. [*Board of Trade.* Barbados, 44. *p.* 49.]

Feb. 2. Whitehall. **667.** William Popple to Gilbert Heathcote. Fowarding copy of a memorial for the uniting of New York, Massachusetts and the adjacent Colonies under one head, for his opinion thereon. [*Board of Trade.* New England, 36. *p.* 119.]

Feb. 2. Whitehall. **668.** William Popple to William Thornburgh. Some difficulty being arisen over Captain Webb's confirmation as Governor of the Bahamas, I am to acquaint you that information has been

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given that, though Captain Webb be now willing to take the oaths and sign the Association, he has lately distinguished himself by marks of a contrary disposition, and has been noticed as disaffected to the present Government. The Proprietors are therefore required to make a strict enquiry into the matter. The Council of Trade also desires information as to the state of the fortifications of the Bahamas, and thinks it necessary, in view of the encouragement of piracy and violation of the Acts of Trade therein, the Governor should give security for good behaviour in that respect. Also, to save him from temptation, the Council thinks that the Proprietors should allow him a larger salary. [*Board of Trade.* Proprieties, 25. *pp.* 33-34.]

Feb. 2. Admiralty. **669.** J. Burchett to William Popple. I have just received your letter of to-day with two packets directed to Sir Edmund Andros, and am sending them away to Captain Douglas, the Commander-in-chief of the convoy going to Virginia, with directions to take care of one of them and to deliver the other to Captain Thomas Legg, of the Southsea Castle. The ship that Captain Douglas commands is the Harwich. She and the Southsea Castle are both in the Downs. ½ *p.* [*Board of Trade.* Virginia, 6. *No.* 11.]

Feb. 3. **670.** Minutes of Council of Barbados. Order for four great guns to be mounted at Kirton's Bay and for a matross to be appointed. George Andrews appointed Colonel of the Scotland Regiment. Sundry orders as to disposition of arms and ammunition, and for the disposal of the records in case of invasion. Richard Salter appointed captain of the forts. Sundry payments ordered or recommended to the Assembly. [*Board of Trade.* Barbados, 65. *pp.* 184-186.]

[Feb. 3.] **671.** Copy of the Act of Massachusetts of 1693 for encouraging a post office, which was afterwards repealed. 5 *pp. Endorsed,* Recd. 3 Feb., 1696-7. [*Board of Trade.* New England, 8. *No.* 63.]

Feb. 3. West Sheen. **672.** Samuel Allen to John Gardner. I send you my reasons against the unreasonable and unjust petition of Sir Henry Ashurst for the annexation of New Hampshire to Massachusetts. (1) The King and Council made New Hampshire a separate government, and notwithstanding Sir H. Ashurst's many petitions has maintained it so, confirming the government to the Proprietor, myself. (2) One reason for keeping the government separate is to keep a check upon them of Boston, that they may no more presume to do what they did when they clapped up Sir Edmund Andros and his Council, which was a mark of their inclination to renounce subjection to the Crown of England. (3) To prevent Boston from having power to tax New Hampshire unreasonably for maintenance of their own government. (4) New Hampshire has been a separate government since 1682, and can continue to maintain itself at its own charge, without Boston's assistance, so that there is no more reason to put it under Boston than Pennsylvania, Carolina or Rhode Island. (5) No man can be more careful than the present proprietor for the people, nor more loyal to the King, and he hopes that the Council of

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Trade will order to Sir Henry Ashurst not to call in question the wisdom of the recent decision of the King in Council as to New Hampshire. *Unsigned.* 1 *p. Endorsed,* Mr. Samuel Allen's reasons against subjecting New Hampshire to the government of Massachusetts. [*Board of Trade.* New England, 8. *No.* 64; *and* 36. *pp.* 121-122.]

Feb. 3. Whitehall. **673.** William Popple to Major-General Winthrop. Forwarding copy of a memorial for uniting New York, Massachusetts, and the adjacent colonies under one head, for his remarks thereon. [*Board of Trade.* New England, 36. *p.* 120.]

Feb. 3. Bristol. **674.** The Mayor of Bristol to William Popple. Yours of 30 January has been communicated by me to the merchants, who desire to thank the Council of Trade for the care they have taken for the recovery of Newfoundland. I am to ask the attention of the Council to the fact that all the North part, viz. Conception Bay, Trinity Bay and Bonavista is still in the hands of the English, and to ask that a fourth-rate frigate may be despatched at once to inform the inhabitants of the intended succours and encourage them to resistance. *Signed,* John Hine, Mayor. ½ *p. Endorsed,* Recd. 6. Read 8 Feb., 1676-7. [*Board of Trade.* Newfoundland, 3. *No.* 40.]

Feb. 3. Whitehall. **675.** Council of Trade and Plantations to the Master-General of the Ordnance. The King has ordered an expedition to be sent to recover Newfoundland, take Placentia if possible, and leave garrisons at three of our ports during the winter, and requires an estimate of the cost so far as it concerns your office. Copy of our representation on the subject is enclosed. *Signed,* J. Bridgewater, Tankerville, Ph. Meadows, Wm. Blathwayt, Jno. Pollexfen, Abr. Hill. [*Board of Trade.* Newfoundland, 25. *p.* 81.]

Feb. 3. Whitehall. **676.** Council of Trade and Plantations to the Commissioners of Transportation. Asking for an estimate of the cost of transporting a certain number of men and feeding them with sea provisions, and enclosing a form to be filled up with answers. *Signed as the preceding.* [*Board of Trade.* Newfoundland, 25. *p.* 82.]

Feb. 3. Whitehall. **677.** Council of Trade and Plantations to Governor Nicholson. Three ministers, Mr. Richard Sewell, Mr. Thomas Cockshutt and Mr. Stephen Bordley, having been appointed by the Bishop of London for the province of Maryland, but not having had the accustomed allowance of £20 apiece out of the Treasury here to defray their charges, the King directs that you shall pay that sum to them after their arrival out of such money as can be spared from the other uses of Government. *Signed,* J. Bridgewater, Tankerville, Ph. Meadows, Wm. Blathwayt, John Pollexfen, Abr. Hill. [*Board of Trade.* Maryland, 9. *p.* 30.]

Feb. 4. **678.** Memorial on behalf of Robert Livingston to Council of Trade and Plantations. Concerning the answers to Livingston's case from the Council of New York, in the preamble of the first paper, dated 1 August, 1696, it is surmised that the Council have found in Livingston's statement addressed to the Governor several

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false allegations, whereupon they have thought it their duty to make a true representation of his case. Hereon the said Livingston requests that it may be observed whether the same be verified or not by any of his proceedings in or concerning that matter in question. As to the first particular represented by the Council, it is submitted that although £490 (being part of the £561 claimed by Livingston) is included in Colonel Van Cortlandt's order, yet the whole £561 was disbursed in the same service by Livingston, and the remaining part advanced for the subsistence of the soldiers, and is therefore as justly due to him as the £490. He hopes therefore that this sum will not be kept from him on any pretext that he is indebted to the brewer or other tradesmen. These tradesmen will exact payment from him without application to or reliance on the Government. The mere allegation of such a pretence shews no good-will nor impartiality. Even if he holds bonds for the other £200 owing to him, yet they ought not to be made use of to keep his money from him. The second article deals with a sum of £388 advanced by Livingston to the officers and soldiers in 1688, of which the whole charge was taken over by Colonel Dongan and paid to him in England. It is, however, submitted that though Colonel Dongan undertook the expedition, Livingston advanced the subsistence which is still owing to him. Colonel Dongan had no authority to receive Livingston's money, so that the Government is still his debtor for it. The third article concerns interest demanded in money advanced to the Crown, and contends that it ought not to be considered, or at least that 8 *per cent.* ought not to be allowed when 6 *per cent.* is the legal rate. Now the late Committee of Trade held that the debt was not Colonel Dongan's but the Government's, and the Lords of the Treasury ordered payment of the principal, to which the Council of New York offers no objection. It is plain that the money was advanced to Colonel Dongan for the use of the Government, and how Colonel Dongan's agents may have disposed of it is no affair of Livingston's. As to the fourth article, Livingston has already abandoned his claim to the £900, as it has been satisfied to Colonel Van Cortlandt. As to the fifth article, it is a strange insinuation that, because all the sufferers by our unhappy disorders have not been reimbursed, the King may not for particular reasons gratify the request of any one of them. As to the sixth and seventh articles, it is submitted that the Governor and Council of New York have exceeded their authority in representing matters relating to Robert Livingston's commission and not in any way referred to them. It is therefore prayed that you will not, for mere want of the good-will of the Governor and Council, do otherwise than recommend the King to confirm the former orders and commission granted to Livingston. The revenues of New York and Albany are in no greater danger of being swallowed up thereby than if left to the disposal of Governor Fletcher, whose new created officers and augmented pensions are passed over by the Council of New York without remark or complaint, whereas the King's own commission falls under their peremptory suspension, and, to say no worse of it, most severe question. 3½ *pp. Endorsed*, Feb. 4, 1697. [*Board of Trade.* New York, 7. No. 12.]

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Feb. 4. Admiralty Office. **679.** William Bridgeman to William Popple. Several merchants trading to Newfoundland request that the convoy for the salt-ships to Lisbon and Newfoundland may sail from the Downs with the first fair wind after the 10th inst. with such ships as shall be ready to sail, also that she may call at five of the Western ports for such ships as are ready there, not waiting for any. My Lords have therefore resolved that the said man-of-war, which is now at the Nore, should be hastened to the Downs and receive her orders accordingly. Pray inform the Council of Trade. *Signed*, Wm. Bridgeman. 1 *p.* *Endorsed*, Recd. Read, 4 Feb. 1696-7. [*Board of Trade.* Newfoundland, 3. *No.* 41.]

Feb. 4. **680.** William Popple to William Bridgeman. The Council of Trade would be glad to know in what readiness the other frigate intended for Milford is at present; and what number of troops the squadron designed for Newfoundland can conveniently take aboard. [*Board of Trade.* Newfoundland, 25. *p.* 83.]

Feb. 4. Kensington. **681.** Order of the King in Council. Referring the petition of Thomas Bulkley, late Deputy-Secretary of the Bahamas, to Council of Trade for report. *Signed*, John Nicholas.

Here follows the petition of Thomas Bulkley to the King. I was Deputy-Secretary of the Bahamas and gave £1,000 security to the Proprietors for due performance of my duties. The Governor, Cadwallader Jones, being guilty of arbitrary and tyrannical exercise of power, of neglect to fortify the place, of malversation of the public funds, and of inviting a notorious company of pirates to make war upon your subjects, I accused him thereof in the Council, whereupon he was secured and I was bound over in £500 to prosecute him. Jones, however, continued to get a party of pirates and seditious persons to rescue him and his papers from the Government's hands, seized me and took my books from me and imprisoned me in heavy irons on board a ship infected with pestilential sickness. There I was kept for fourteen months, and my house was ransacked, and my wife killed by fright. Then came one Nicholas Trott with a Commission as Governor, who preferred Jones to high places of trust, kept me prisoner for two months longer, and encouraged a malicious prosecution of high treason against me by conspiracy of Jones and others. I was acquitted, and I then appealed to Governor Trott for justice upon Jones, but Governor Trott delayed it and enabled Jones to escape from the Colony, so that I have been obliged to leave everything and come three thousand miles to obtain justice. I beg that the Proprietors may be compelled to compensate me for the damage done to me by their Agents Jones and Trott. [*Board of Trade.* Proprieties, 25. *pp.* 47-50.]

Feb. 4. **682.** Minutes of Council and Assembly of Nevis. Governor Codrington was present. The members of Assembly were sworn and Major William Butler was elected Speaker. Two disputed elections were decided. William Bates elected Clerk. The Assembly addressed the Council for a writ to elect a new Assembly man in place of Thomas Weaver. The Council replied that since Thomas Weaver had been declared incapable of serving in the Assembly and yet the people of his district declared that they would elect no

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other, the candidate next to him in number of votes should be admitted. Joint Committee appointed to draw up Articles of War. The Council proposed that the complement of soldiers of Colonel Holt's company be billeted for twelve months longer.

Feb. 5. The Assembly agreed to billet Colonel Holt's company for three months longer. A second request of the Assembly for a writ to elect a new member in place of Thomas Weaver was refused. In reply to a question of the Assembly the Council replied that executions decreed by a deceased judge should not be levied until the defendant had been summoned by a new judge to shew cause why they should not be levied. The Assembly agreed to admit the candidate next in number of votes to Thomas Weaver, provided that entry were made in the books of the Assembly and Council that this should not be taken as a precedent. The Council concurred, and entry was made accordingly, that the new member was admitted to make up an Assembly on an occasion of great emergency. The Assembly addressed the Governor for the removal of Thomas Weaver from the common gaol, the place being unfit for a Christian to be imprisoned in. The Governor would return no written reply. Message from the Council proposing a joint committee to draw up five bills which are urgently needed, viz.: Bills for recording deeds relating to lands, for reinforcing an Act for punishment of slaves, to regulate elections, to prevent false and scandalous reports about the Governor, Council Assembly and justices, and for raising a levy to pay the country's debts. The Assembly proposed that a joint committee do first examine the Treasurer's accounts, with a view to the collection of arrears. The Assembly agreed to the Council's proposal that immediate care be taken for new gun-carriages and other matters necessary for the fortifications. Joint Committee appointed to draw up the bills aforesaid. The Assembly proposed that Thomas Weaver's bail be discharged since he had surrendered his body. The Governor answered that he had nothing to do with it. Order for the joint committee to prepare the additional bills, viz.: A bill for the better securing of titles, and a bill to explain the Act of limitation. Messages from the Assembly to the Council, praying the Governor to issue new executions in cases where the time is too long for plantiffs to summon defendants before the next court, to appoint assistants to several courts, and to restore to the Lieutenant-Governor his former power of passing Acts, without sending them to Antigua.

Feb. 6. The messages sent by the Assembly yesterday were confirmed. The Council assented to a proposal of the Assembly to billet Colonel Holt's men for six months, and that a full proportion of the regiment should be kept in Nevis when the recruits arrived. The Articles of War were presented and approved by the Assembly for six months. Members appointed for a joint Committee to draw up an Act to enforce them. The Assembly unanimously resolved that the Governor's expenses during his visit be paid by the Country. [*Board of Trade.* Leeward Islands, 64. *pp.* 399-408.]

Feb. 5. **683.** Minutes of Council of Massachusetts. Order for prorogation of the Assembly till 17 March. Leave granted to William Clough to build a timber house at the north end of Boston. [*Board of Trade.* New England. 49. *pp.* 71-72.]

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1697. [Feb. 5.] **684.** Abstract of the papers sent by Governor Codrington concerning Mr. John Palmer, Secretary to the Leeward Islands. 8¼ *pp. Endorsed*, Recd. 5 Feb., 1696-7. [*Board of Trade.* Leeward Islands, 5. *No.* 35.]

Feb. 5. Transport Office. **685.** Commissioners of Transportation to Council of Trade and Plantations. We estimate the cost of sea-provisions for 1,000 men for 224 days at full allowance at £11,164 (*all items given*). The cost of freight, beds, cabins, cradles and hammocks will bring the total to £19,071. *Signed*, Saml. Atkinson, Tho. Hopkins. 1½ *pp. Endorsed*, Recd. Read, 5 Feb., 1696-7. [*Board of Trade.* Newfoundland, 3. *No.* 42; *and* 25. *pp.* 84-85.]

Feb. 5. Whitehall. **686.** Council of Trade and Plantations to Secretary Trumbull. We enclose estimates of the cost of victualling 1,000 men for 224 days from Sir John Parsons and the Commissioners of Transportation. The latter is much cheaper than the other, being drawn up for ready money, whereas the other is for tallies. The Treasury only can decide as to the agreement. The other estimates required have been called for. *Signed*, J. Bridgewater, Ph. Meadows, Wm. Blathwayt, Jno. Pollexfen, Abr. Hill. [*Board of Trade.* Newfoundland, 25. *pp.* 85-86.]

Feb. 6. Tower Hill. **687.** William Thornburgh to William Popple. With reference to yours of the 2nd inst., the Proprietors of the Bahamas have no cause to suspect Captain Webb's good affection to the present Government. He was a competitor for the Governorship when Mr. Trott was appointed, and was so highly recommended by Lord Howard of Effingham, who offered to be answerable for all his transactions in America if he were appointed, that had he been more early in his application the Proprietors would certainly have given him the post. He is now recommended also by several persons of honour and eminent merchants. As to the fortifications, the rents have always been devoted to that object, and we lately ordered Mr. Trott to devote £800, and have since heard from him that the fort is completed. As to security, since it has never been required of any Governor before, we cannot conceive the convenience of requiring it now. As to salary, the Proprietors are ready to raise it from one-seventh to one-fifth of their revenues. [*Board of Trade.* Proprieties, 25. *pp.* 34-35.]

Feb. 8. **688.** Sir Henry Ashurst's receipt for a copy of the Order in Council of 10 December, 1696, for the disallowance of five of the Acts of Massachusetts passed in 1693 and 1694. *Signed*, Hen. Ashurst. ½ *p.* [*Board of Trade.* New England, 8. *No.* 65.]

Feb. 8. **689.** Memorial of Major-General Winthrop to Council of Trade and Plantations. Certain petitions have lately been presented for putting the Narragansett Country under the government of Massachusetts or some other Colony. The Governor and Council of Connecticut submit that the said country belongs to them, being included in their charter, and they beg that it may be made over to them and not put under nor added to the Government of any other province. *Signed*, J. Winthrop. ½ *p. Endorsed*, Recd. 8 Feb., 1696-7. [*Board of Trade.* New England, 8. *No.* 66; *and* 36. *p.* 122.]

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Feb. 8. **690.** Memorial of the same to the same. I have perused copy of a memorial for the appointment of a General over all the forces of the Northern Colonies. I would submit that the Governor and Company of Connecticut have power under their charter to array the inhabitants of the Colony and commission such person as they will to command them. The Governor and Company have always (especially in the last Indian war when the enemy was strong and numerous) chosen their own leaders, who have usually been victorious. They are advised that the imposing a General over them with power to demand arms and ammunition and lead the inhabitants out of the Colony without the consent of them, the said Governor and Company, will be a hardship on the inhabitants and contrary to their charter. If you propose to appoint such a General as is suggested, I submit that he may be restrained from raising forces and demanding supplies in Connecticut, and leading them out of it, without the consent of the Governor and Company, whose interest will oblige them thereto when necessity requires it. *Signed*, J. Winthrop. 1 *p. Endorsed*, Recd. 8 Feb., 1696-7; Read, 11th. [*Board of Trade*. New England, 8. *No.* 67; *and* 36. *pp.* 125-126.]

Feb. 8. **691.** The Agents for New York to Council of Trade and Plantations. (1) The matters urged in the first five paragraphs of the memorial (*see No.* 651) for uniting New England and New York under one head are undoubtedly true, but that the benefits to be effected and the mischiefs to be prevented by such union will be such as is alleged requires further proof than the allegation of a single person. (2) If it be absolutely necessary for the preservation of the Colonies that the Governor of New England must be also Governor of New York and New Hampshire, then the same necessity will include Connecticut, Rhode Island and the Jerseys, especially the two first, which are contiguous to Massachusetts; but how the placing of all these places under the Governor of New England will contribute to oppose the enemy's designs very much wants explanation. (3) It is undoubtedly true that the uniting of the forces of all the Colonies by an Act of Parliament to avoid disputes, the vesting of the power military in the Crown during the war, and the appointment of a fitting general over the whole will enable them better to defend themselves and offend the enemy; and experience shows that there will be no compliance otherwise, while their obedience is precarious, for neither when Sir William Phips nor Colonel Fletcher held the chief command was there compliance, even in the greatest exigence and when their power was modestly insisted on. (4) That the necessity for uniting New York and New England under one Governor is imperative and that it will be for the good of both, doth not appear. It is asserted in the memorial but not proved. There is at least two hundred miles between the nearest limits of New York and Massachusetts, Connecticut and Rhode Island lying between; and it cannot reasonably be supposed that New England should be able to defend New York, when to the Eastward, in parts adjacent, they have lost a country at least equal in value (though it may not be of the same consequence) to the whole Colony of New York. Nor can it be thought that New York

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would be able to assist New England, considering the distance, the narrowness of its bounds and the paucity of its people, because they have hitherto kept their bounds entire by the King's assistance, the prudence and diligence of Colonel Fletcher, and the great expense and fatigue of the inhabitants. (5) Boston and New York have always had emulation in point of trade, and the two Colonies have ever been governed by a different policy. The desired union of New York, the less, with Boston the greater will infallibly bring about the advancement of the one and the depression of the other, to the discouragement of merchants trading to the Colony, the impoverishment of the people, and the ultimate ruin of the most flourishing countries in these parts.

(6) The other argument employed in favour of the union of the Colonies is that it will better support the appointed Governor. It is presumed that Boston will be the Governor's place of residence, so that even in civil administration New York will be grievously injured by the great distance; and should the Governor live at New York the evil will be as great to New England. (7) Upon any sudden danger from French or Indians, five or six days at least will pass before notice can be given to Boston, and a great deal more before relief can possibly be brought, in which time all the damage may be done that can be; which proves that no military advantage will accrue to New York from this union. (8) It is true that the King assigns to the Governor of New York his salary, but the people pay it, and for that and other exigencies of government they have laid impositions upon themselves. Their Governor resides with them and spends the money there, so that the Colony is the less hurt. This money ought not to be employed, contrary to the intent of the givers, for the support of a Governor in New England. (9) The Colony of New York is small, certainly not above 3,000 families, yet it maintains its own Governor, a man of honour, in a reputable port, and he subsists there very well. (10) New England contains 10,000 or 15,000 families, so can maintain its Governor in a reputable port without taking money from the people of New York against their consent. (11) The memorial begins by talking of a public good, but plainly terminates in the advantage of a private person. (12) In our opinion a prudent and experienced general over all the military forces of the Continent, established by Act of Parliament (without which obedience cannot rationally be expected) is of the utmost necessity for their good; but the placing of the civil government of New York in any person not constantly resident in the Country will be of no service to the King, but a discouragement to trade, a discontent to the people and of pernicious consequence to the Colonies of America. *Signed*, Chid. Brooke, W. Nicoll. 3 *pp.* *Endorsed*, Recd. 8 Feb., 1696-7, Read 11th. [*Board of Trade.* New England, 8. *No.* 68; *and* 36. *pp.* 126-129.]

Feb. 8. Whitehall.

692. John Cary of Bristol to Council of Trade and Plantations. The merchants of Bristol trading to Newfoundland desire me to represent to you the necessity of sending both ships and soldiers thither to secure such parts of it as are left to the English, and to recover what is lost. In Trinity Bay and Conception Bay in particular, divers good harbours still remain in possession of the

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English, and it is submitted that if one or two men-of-war appeared there early in the year, it would encourage the inhabitants and might secure those places until the arrival of a larger force from England. You are requested to procure this with all speed, for it will be much easier to preserve those places than to regain them when lost, apart from the ill consequences which will attend the latter, for when the planters' houses, stages and boats are destroyed by the French, and their goods and those of the merchants are carried away, the empty harbours may indeed be regained, but many families will be ruined, and the fishing spoiled for the ensuing year. All this could be prevented at a small charge. If it be objected that it is too early in the year to send men-of-war because of the ice, the merchants would give their opinion, grounded on long experience, that it is safer for the ships to go in February than in April, for the mountains of ice, which are drawn by the current from North to South, do not appear so early in the year nor are so dangerous as later in the season, when the weather is warmer. For this reason the merchants often send ships thither from Europe in January, as they have already done this year. *Signed*, John Cary. 2 *pp.* *Endorsed*, Presented by Mr. Cary, 8 Feb. 1696-7. [*Board of Trade.* Newfoundland, 3. *No.* 43.]

Feb. 8. Exon. **693.** The Mayor of Exeter to William Popple. The merchants trading to Newfoundland thank the King and you for your care of their interest. I am to represent that if the convoy does not stop for forty-eight hours in Torbay, they will not be able to avail themselves of it. It is requested that orders may be given to the men-of-war accordingly. *Signed*, Chr. Bale. ½ *p.* *Endorsed*, Recd. Read, 11 Feb. 1696-7. [*Board of Trade.* Newfoundland, 3. *No.* 44.]

Feb. 8. **694.** "A brief and plain Scheame how the English Colonies in the North parts of America . . . . may be made more useful to the Crown and one another's peace and safety with an universal concurrence." 1. The several Colonies, viz.: Boston, Connecticut, Rhode Island, New York, New Jersey, Pennsylvania, Maryland, Virginia and Carolina should meet once a year, or oftener if need be, during the war and at least once in two years in time of peace, by their appointed deputies, to debate and resolve of such measures as are most advisable for their better understanding and their public tranquillity and safety. 2. To this end two persons well qualified for sense, sobriety and substance should be appointed by each province as their representatives and deputies, the whole making a congress to consist of twenty persons. 3. The King's Commissioner, specially appointed for the purpose, should hold the chair and preside in the congress. 4. They shall meet as near as may be to the central Colony, for the ease of the deputies. 5. The place will probably be New York, for it is near the centre of the Colonies, it is a frontier and it is in the King's nomination. The Governor of New York may therefore be the King's High Commissioner during the session, after the manner of Scotland. 6. Their business shall be to hear and adjust all matters of complaint or difference between province and province, such as: (1) Where people leave their own province and go to another, to avoid their just debts though able to

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pay them. (2) Where offenders fly justice or justice cannot be had upon such offenders in the provinces that entertain them. (3) To prevent or cure injuries in point of commerce. (4) To consider of ways and means to support the union and safety of these provinces against the public enemies. In such a congress the quotas of men and charges will be much easier and more equally set than it is possible for any establishment made in England to do; for the provinces, knowing their own condition and one another, can debate that matter with more freedom and satisfaction, and better adjust or balance their affairs in all respects for the common safety. 7. In times of war the King's High Commissioner shall be General or Chief Commander of the several quotas upon service against the common enemy, as he shall be advised for the benefit of the whole. 1½ *pp.* *Endorsed*, Mr. Penn's scheme. Recd. Read, 8 Feb. 1696-7. [*Board of Trade.* Plantations General, 4, *No.* 30; *and* 34. *pp.* 102-103.]

Feb. 8. **695.** Journal of Council of Trade and Plantations. Letters from the Western ports of 2 and 3 February as to Newfoundland read (*Nos.* 662, 663, 674). Mr. John Cary of Bristol also presented a memorial (*No.* 692), on which the Council for the present suspended their determination.

Sir Henry Ashurst and Mr. Edward Harrison desired to strike their names out of a memorial (*No.* 653) which they had inadvertently signed, and were permitted to do so. The Agents of New York and Major General Winthrop presented memorials against the union of the Colonies with New England (*Nos.* 690, 691) as did also Mr. Samuel Allen (*No.* 672). Major General Winthrop presented also a memorial about the Narragansett Country (*No.* 689). Mr. Penn presented a scheme for general union and explained that it was chiefly for adjusting disputes between the Colonies, and the determinations of the assembly proposed by him should be by plurality of votes.

Mr. Thornburgh's letter of the 6th inst. read (*No.* 687), and order given for a representation to be prepared.

Feb. 9. Circular letter of this date (*Nos.* 696-700) to the Proprietary and Charter Colonies signed.

Feb. 10. Sir Martin Beckman and Captain Lilly attended to receive such information as the Council could give them as to the intended expedition to Newfoundland. Mr. John Cary and Mr. Thomas Edwards again proposed to send forward two frigates to preserve so much of Newfoundland as remains in English hands; and were asked to put their suggestions into writing.

Feb. 11. Sir Henry Ashurst and Mr. Harrison presented a joint memorial (*No.* 704), and were informed, after consideration, that the Council could not draw up a representation upon such matters.

Representation as to the Leeward Islands and the Bahama Islands signed. Mr. Bulkley's petition was read (*No.* 681) and himself called in, who said that he had complained to the Proprietors of the Bahamas without success.

Mr. Penn attending complained of the quota required of Pennsylvania, looking to the presence of strange Indians on her frontier

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and the hostile legislation of Maryland. He promised to put forward the same in writing.

Letter of thanks from the Mayor of Exeter read, as to Newfoundland. The merchants of Bristol submitted a memorial (*No.* 705) and Mr. Thomas Edwards gave the latest information as to the situation in Newfoundland. They were desired to attend the Admiralty concerning the expedition.

Feb. 12. Letters to Barbados, Jamaica, the Leeward Islands and Bermuda signed.

Order for a copy of the Order in Council of 4 February (*No.* 681) with Thomas Bulkley's petition to be sent to Mr. Thornburgh for his answer.

Mr. Penn presented two memorials (*Nos.* 716, 717), which were reserved for consideration.

Feb. 13. Order for Mr. Neale to have a copy of the American Post Office Act, on his paying for it.

Letter to Governor Fletcher in favour of Mr. Henry Brabant signed.

The Council agreed upon its answer to the Committee of the House of Lords. [*Board of Trade.* Journal, 9. *pp.* 392-405.]

Feb. 9. Whitehall. **696.** Council of Trade and Plantations to Governor and Company of Connecticut. The King has been informed of the little attention paid by several Colonies to the quota approved by the late Queen in 1694, to be observed during this war for defence of the frontiers of New York. *Here follows a list of the several contingents, Connecticut's being* 120 *men.* It is the King's pleasure that this regulation be strictly observed, and you will be careful that this be so in Connecticut. Upon complaints of the seduction of inhabitants from some Colonies to others by underhand methods, he orders that effectual laws be made against the harbouring of deserters and fugitives. He orders further that all Governors shall do their utmost to repress pirates and piracy, of which you will take notice. *Signed,* J. Bridgewater, Ph. Meadows, Wm. Blathwayt, Jno. Pollexfen, Abr. Hill.

The like letter, *mutatis mutandis,* was written to Samuel Allen, Proprietor of New Hampshire. [*Board of Trade.* New England, 36. *pp.* 123-125.]

697. Council of Trade and Plantations to the Proprietor of Pennsylvania. Almost identical with the preceding, *mutatis mutandis,* the quota of Pennsylvania being 80 men. Specific instances are given of the harbouring of pirates in Pennsylvania. *Signed as the preceding.* [*Board of Trade.* Proprieties, 25. *pp.* 36-38.]

Feb. 9. Whitehall. **698.** Council of Trade and Plantations to the Lords Proprietors of Carolina. To the same effect as the preceding, with the omission of any reference to the quota. It is pointed out that in late trials of pirates Carolina has too often appeared as a receptacle of pirates. *Signed as the preceding.* [*Board of Trade.* Proprieties, 25. *pp.* 39, 40.]

Feb. 9. Whitehall. **699.** Council of Trade and Plantations to the Lords Proprietors of the Bahama Islands. To the same effect as the preceding; giving

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several instances of the harbouring of pirates. *Signed as the preceding.* [*Board of Trade.* Proprieties, 25. *pp.* 40-42.]

Feb. 9. Whitehall. **700.** Council of Trade and Plantations to the Governor and Company of Rhode Island. To the same effect as the letter of same date to Connecticut, *No.* 696. The quota of Rhode Island is 48 men; and evidence is quoted as to the entertainment of pirates in Rhode Island. [*Board of Trade.* Proprieties, 25. *pp.* 42-44.]

Feb. 9. Whitehall. **701.** Council of Trade and Plantations to the Proprietors of East New Jersey. To the same effect as the preceding; the militia of East and West New Jersey, to the number of 700, being liable for service for defence of New York. No specific instances of the entertainment of pirates are quoted. [*Board of Trade.* Proprieties, 25. *pp.* 45-46.]

Feb. 9. **702.** Minutes of Council of Jamaica. A letter from several gentlemen in England was read, reporting that they had sent out an advice-boat, with the King's packet respecting Mons. Pointis's squadron, at their private charge, and requesting some allowance from the island for the same. Order for £50 to be paid towards refitting the galley, and for £20 to be paid to the captain for his good service. Letter from Gilbert Heathcote read, desiring some satisfaction for his expense and trouble in soliciting the island's affairs at home. The Council accepted the Governor's offer to advance £300 a year to the solicitors at home upon the credit of the Soliciting Act, and orders were given for the reimbursement of the Governor upon the collection of the levy. Letters of 2nd and 23rd October from the Council of Trade read. The Council decided that nothing more could be done for the defence of the island beyond the erection of a store-house for salt and powder at St. Jago de la Vega. On the petition of the masters of merchantmen it was decided that no convoy could at present be spared, but that those who wished to sail might have leave to do so. Orders for payments for hire and fitting out of ships and for examination of certain accounts. [*Board of Trade.* Jamaica, 79. *pp.* 53-55.]

Feb. 9. **703.** Minutes of Council of Barbados. Order for payment of £60 to the master of the sloop who carried despatches to Governor Codrington. The Assembly proposed that two sloops should be sent out to cruise against surprise, to which the Council answered that they had already resolved thereupon. Order for securing a negro who had run away to the French flag of truce. The Assembly then brought up an Address for payment of £500 to President Bond for his salary, which was agreed to, and a bill respecting the decision of disputed elections.

Feb. 10. Order for payment of £200 for the Windward fortifications. Bill as to decision of disputed elections read thrice and passed. A charge for the quarters of soldiers recommended to the Assembly. Order for £100 and ten barrels of powder to be delivered to the commander of the fortifications in Scotland, and for new guns and gunners to be sent to Clarendon battery. Orders as to a vessel driven in by stress of weather and obliged to unlade. Order for

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the militia to be exercised weekly till further order. Bill to raise a strength of labourers read thrice and passed. Orders for payments. Agreement for the hire of a sloop for the island's service. Order for Captain Daniel Reeves to cruise for a period not exceeding twenty days. [*Board of Trade.* Barbados, 65. *pp.* 189-192.]

Feb. 11. **704.** Memorial of Sir Henry Ashurst and Edmund Harrison to Council of Trade and Plantations. (1) The answer of the Agents of New York (*No.* 691) agrees that the first five paragraphs of Mr. Harrison's memorial are true, and yet asks for proof of the proposed advantages, which are self-evident. (2) The 1st, 3rd and last paragraphs consent that a union of all the forces of the Continent under one head would be advantageous, but would have the same settled by Act of Parliament, which in design is fallacious, for it will only tend to delay and to create clamour in the Parliament about the people's rights. The writers while seeming to insist on these rights propose to take them away by Act of Parliament. (3) The Memorial owns the grants and privileges of the several Colonies and proposes that all advantages in their civil Government be inviolable, and therefore that the Generalissimo be continued during the war only. We need not reply to all the arguments on that point. (4) It is admitted that great benefit will arise from the union of all the forces under one head, but the answer takes no notice of the advantages of such union for removing the French entirely from that part of America. As to the refusal of the people to obey, some of these inhabitants affirm that they refused because they had been ill-used and because the power of the then Generalissimo had been unreasonably put in practice. (5) No objection is made as to New Hampshire. On the whole the opposition to the memorial is only as to uniting the Governments of New England and New York. There is a specious pretence of the distance between the two Colonies, which are not above 100 miles from New York territories to Albany, Connecticut lying between (*sic*); but this seems no argument of force, for posts come and go in a short space, so that the Governor may have fresh intelligence and give the necessary orders. (6) The 5th paragraph makes the emulation in trade the main argument against the union, whereas the memorial makes it strong for it, so that the people may be united in trade and be free in each other's countries, the want of which is of great prejudice to both. Indeed it might perhaps be proved that the want of the proposed union was the reason for the miscarriage of Sir William Phips's expedition, those of New York being jealous that, if Canada were conquered, their trade in furs would be diminished by the nearness of those of New England to the lakes where those furs are chiefly taken. The general advantage ought to be preferred; therefore the 5th paragraph aforesaid is an argument for union. (7) As to the prejudice to New York arising from the residence of the Governor at Boston, no doubt the Governor will choose his proper times for residing at both places, and besides he may always have a deputy there. (8) As to the 8th paragraph we answer that the Governor of New York was at first paid out of the Exchequer, and that afterwards his salary was assigned to him out of the King's revenues at New

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York; so that they have very little ground to suggest that the people pay the Governor. But indeed the whole answer agrees as to the advantage of a Generalissimo. It must be conceded that such a general must be at more care and pains and therefore at greater expense than any private Governor. Therefore the better to support him, the best expedient is the union of the Governments of New England, New York and New Hampshire. (9) These governments being in the King, who pays the Governors, the King is sole judge of the convenience of the proposed union and may do therein as to his Royal pleasure may seem meet. The rest of the answer, being only suggestions of no great weight, calls for no reply. *Signed*, Hen. Ashurst, Edm. Harrison. 1 *p. Endorsed*, Recd. Read, 11 Feb. 1696-7. [*Board of Trade.* New England, 8. *No.* 69; *and* 36. *pp.* 130-132.]

Feb. 11. London. **705.** Memorial of the merchants of Bristol, trading to Newfoundland, to Council of Trade and Plantations. Trinity and Conception Bays, with many commodious harbours, as well as Bonavista, still remain in the hands of the English, and about 700 Englishmen in them. Hearing that the French are sending ships of war thither, we beg that two fourth-rate frigates may be sent there with all imaginable speed, with one hundred soldiers, ten cannon and an engineer, all victualled for four months. We think that thus St. Johns could be retaken and the whole land thereby secured, but if the hundred soldiers cannot be sent, we beg that the ships may be despatched with the guns, the engineer and as many soldiers as can be got together. Even if the French get there first, we conceive that the men-of-war can be secured in safe harbours where the French cannot come at them. If they arrive before the French we think they may be able to secure the land until a greater force arrives from England. *Signed*, Solomon Merrett, Tho. Edwardes, John Cary. 1 *p. Endorsed*, Recd. Read, 11 Feb. 1696-7. [*Board of Trade.* Newfoundland, 3. *No.* 45.]

Feb. 11. Kensington. **706.** Council of Trade and Plantations to the King. Upon the letters recently received from Governor Codrington, respecting John Palmer, we recommend that if he be displaced, Edward Parsons may be appointed Secretary of the Leeward Islands in his stead. *Signed*, J. Bridgewater, Tankerville, Ph. Meadows, Wm. Blathwayt, John Pollexfen, Abr. Hill. [*Board of Trade.* Leeward Islands, 45. *pp.* 53-54.]

Feb. 11. Kensington. **707.** Order of the King in Council. That John Palmer be removed from being Secretary and Councillor of the Leeward Islands, and that Governor Codrington be informed accordingly. *Signed*, John Nicholas. 1 *p. Endorsed*, Recd. Read, 16 Feb. 1696-7. [*Board of Trade.* Leeward Islands, 5. *No.* 36; *and* 45. *p.* 60.]

Feb. 11. Kensington. **708.** Order of the King in Council. That Edward Parsons be appointed Secretary of the Leeward Islands. *Copy.* ½ *p. Endorsed*, Recd. Read, 9 June, 1697. [*Board of Trade.* Leeward Islands, 5. *No.* 37; *and* 45. *pp.* 69-70.]

Feb. 11. Whitehall. **709.** Council of Trade and Plantations to the King. Having made further enquiry as to the behaviour of Nicholas Webb, we find

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no manner of cause to suspect him of disaffection to the Government, and that he has had for some time past good recommendations from persons of honour. The Proprietors of the Bahamas have consented to augment his salary, and we see no reason why he should not be approved as Governor. *Signed*, J. Bridgewater, Tankerville, Ph. Meadows, Wm. Blathwayt, Jno. Pollexfen, Abr. Hill. [*Board of Trade.* Proprieties, 25. *pp.* 50-51.]

Feb. 11. Kensington. **710.** Order of the King in Council. Approving the appointment of Nicholas Webb as Governor of the Bahama Islands. [*Board of Trade.* Proprieties, 25. *pp.* 82-83.]

Feb. 11. Whitehall. **711.** Council of Trade and Plantations to the President and Council of Barbados. The King has appointed Mr. Heberlands to go as Engineer to Barbados in order to survey the place and encourage the planters in their defence. Having surveyed Barbados, its fortifications, ordnance and stores, he will proceed to the Leeward Islands and thence to Bermuda. We recommend him to your good offices. *Signed*, J. Bridgewater, Ph. Meadows, Wm. Blathwayt, John Pollexfen, Abr. Hill. [*Board of Trade.* Barbados, 44. *p.* 50.]

The like letter to Governor Codrington. [*Board of Trade.* Leeward Islands, 45. *p.* 56.]

Feb. 11. Whitehall. **712.** Council of Trade and Plantations to the President and Council of Barbados. Recommending to their good offices Mr. Talbot Edwards, who has been appointed to succeed another engineer in the Leeward Islands, but with orders to proceed first to Barbados and then to the Leeward Islands, returning again from time to time as occasion may require. *Signed as the preceding.* [*Board of Trade.* Barbados, 44. *p.* 51.]

The like letter to Governor Codrington. [*Board of Trade.* Leeward Islands, 45. *p.* 55.]

Feb. 11. Whitehall. **713.** Council of Trade and Plantations to Governor Goddard. The King has ordered an engineer to proceed to Bermuda to survey the place, encourage and direct the planters upon their better defence, and report the state of the forts and stores. The bearer hereof, Mr. Heberlands, is the engineer aforesaid, and is recommended to your good offices. *Signed*, J. Bridgewater, Ph. Meadows, Wm. Blathwayt, John Pollexfen, Abr. Hill. [*Board of Trade.* Bermuda, 3. *pp.* 7-8.]

Feb. 11. Whitehall. **714.** Council of Trade and Plantations to Governor Sir William Beeston. The bearer, Captain Lilly, has been appointed on our recommendation to visit Jamaica in order to report, as an able engineer, upon the forts and resources, defensive and offensive, of the island. We recommend him to you for such directions as you shall think proper to give him. *Signed*, J. Bridgewater, Ph. Meadows, Wm. Blathwayt, John Pollexfen, Abr. Hill. [*Board of Trade.* Jamaica, 56. *p.* 72.]

Feb. 11. Jamaica. **715.** Governor Sir William Beeston to Council of Trade and Plantations. On the 6th inst. I received yours of 2 October and 23 November last, and duplicates of them on the 8th. On the 1st inst. a ship arriving from Bristol brought us the first news of

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Mons. Pointis's fleet, though from the French themselves I had advice of this fleet by way of Curaçoa and St. Thomas though it was said to be under Mons. D'Amblemont. I now suppose the latter to be Governor of Martinique, and Mons. Pointis to be in command of their ships. On receiving the news I at once sent advice to the Governors of Porto Bello and Havana, against one of which I guess the design to be directed. The President of St. Domingo had already been advised of it. The Southampton was to have gone home convoy to eighteen sail, richly laden, and would have sailed in one day more, but on this intelligence I retained her to help in the defence of the island; and the fleet, fearing to stay here longer lest the ships be spoiled, the masters of their own choice prefer to sail without convoy. The galleons are now taking in the plate and money at Porto Bello, and the New Spain fleet was lately at Havana; and I guess they are there still, which the French know as well as we and that we think their designs are on them. You say that you have several of my letters, so it is to little purpose to repeat that we are too weak to contend with a royal fleet and force, if they come hither, unless we had hope of relief timely to prevent them. *Signed*, Wm. Beeston. *Holograph.* 1 *p.* *Endorsed*, Recd. Read, 3 May, 1697. [*Board of Trade.* Jamaica, 8. *No.* 45; *and* 56. *p.* 91.]

Feb. 12. **716.** Memorial of William Penn. I complain of two laws passed in Maryland in 1695, one imposing an unprecedented and unwarrantable custom of 10 pounds per cent. upon all English goods shipped on vessels bound to Maryland consigned to Pennsylvania, denying us a free highway home. The other imposes fourpence a gallon on all beer imported from Pennsylvania into Maryland and through that province, for accommodation of those that take ship there for England. Upon both these accounts travelling chests are searched and rifled and, if the key be not there, broken open; and for passing this illegal and unneighbourly search they require from half a crown to ten shillings, of all which a speedy redress is necessary and much and greatly desired. *Signed*, Wm. Penn. 1 *p.* *Endorsed*, Recd. 12 Feb. 1696-7. [*America and West Indies*, 599. *No.* 29; *and* Proprieties, 25. *pp.* 51-52.]

Feb. 12. Memorandum of the receipt of the above. ½ *p.* [*Board of Trade.* Maryland, 3. *No.* 10; *and* 9. *p.* 31.]

Feb. 12. **717.** Memorial of William Penn. Since the quotas are all dedicated to the command and preservation of New York as a frontier to the rest of the Colonies, according to the general letter I received from this Board, it seems in my opinion necessary that a clause be added, "in case there be no danger from the enemy there attending on any of the provinces when their quotas are called for by New York." I also further represent the minority of Pennsylvania, and that it is rated in the establishment much above its capacity, in proportion to other provinces; for we are but fourteen years old, and though we have given large marks of our industry and substance, being begun by men of estates, yet this ought not to be the rule of rating but the reason of sparing us, because we have never seen the repeated returns that New York, Maryland, Virginia, etc., have enjoyed, whose

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antiquity is so much greater, and so their ability, than ours. Else we pay not out of our gains, but in proportion to our greater and more expensive improvements, which I dare say is very far from the Board's intention. *Signed*, Wm. Penn. *Holograph.* 2 *pp. Endorsed*, Recd. 12 Feb. 1696-7. [*America and West Indies*, 599. *No.* 30; *and* Proprieties, 25. *p.* 52.]

Feb. 12. Whitehall. **718.** Council of Trade and Plantations to the Governor and Council of Barbados. The King has sent a squadron to oppose the designs of the enemy in the West Indies, wherever they may be. We have laid before the King your application and those of your Agents for military stores; and he has ordered stores, an engineer and a master-gunner to be sent to you. You will send us from time to time an account of such stores as you have remaining, to be our guide in any future deliberations. We do not doubt that your Act for better securing the gunpowder-duty (which Act we have not yet received) will, with better husbandry, increase your supply of powder. We have to transmit to you the King's order that no pirates shall be entertained or sheltered in his dominions under the severest penalties. Mr. Talbot Edwards and Mr. Heberlands, engineers, go by this fleet; we have addressed you particular letters concerning them. *Signed*, J. Bridgewater, Tankerville, Ph. Meadows, Wm. Blathwayt, John Pollexfen, Abr. Hill. [*Board of Trade.* Barbados, 44. *pp.* 52-54.]

Feb. 12. **719.** William Popple to the President and Council of Barbados. Desiring their care in forwarding a packet enclosed to Bermuda. [*Board of Trade.* Barbados, 44. *p.* 54.]

Feb. 12. Whitehall. **720.** Council of Trade and Plantations to Governor Goddard. The King having appointed us his Commissioners for Trade and Plantations, we require of you a list of your present Council, and a further list of the persons whom you think most suitable to fill any vacancies therein. The King for the security of all the Colonies is sending out a squadron to oppose the designs of the enemy in those parts. He is also sending an engineer to report as to the defence of Bermuda. Upon complaints that entertainment has been given to pirates in many of the Plantations, he has directed orders to be given to all Governors that no pirates be thus entertained, under the severest penalties. You will take care that these orders are complied with, and that any persons guilty of such misdemeanours be seized and punished. We defer answering for the present your letter of 30 July. *Signed*, J. Bridgewater, Tankerville, Ph. Meadows, Wm. Blathwayt, John Pollexfen, Abr. Hill. [*Board of Trade.* Bermuda, 29. *pp.* 8-11.]

Feb. 12. Whitehall. **721.** Council of Trade and Plantations to Governor Sir William Beeston. Yours of 22 July and 7 August to the late Committee, of 23 July to Mr. Blathwayt, and of 22 July and 18 September to the Duke of Shrewsbury have been received, together with the public papers and Acts transmitted with them. The King is sending out a squadron for the special protection of the West Indies, which we doubt not will be sufficient to that end. Application has been made to us for the confirmation of Mr. Lewis as

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Commissary, Muster-master and Judge Advocate, but as a difficulty has arisen about his giving security, we leave it to you to take such security and give him such orders as you think fit. We notice the complaints which you report from Jamaica about the disallowance of the Act against engrossing, but we find that this decision was taken upon very mature deliberation, and we send you the reasons of the late Committee for the decision, for the satisfaction of such as you may think fit to impart it to. There having been many complaints against pirates of late, the King has sent orders to all the Colonies that such persons shall be punished with the greatest severity. As regards impressment, the King has issued orders that in future commanders of ships of war, when in need of men, shall apply to the Governors of Colonies, and upon such application his Majesty requires Governors to take care that the ships be furnished with such men as are necessary. We hope that the effect of this in Jamaica will be suitable to expectation, and not only encourage such seamen as are with you to remain, but also such as have fled to return. A copy of the Order in Council is enclosed. The King has also given orders for the return of five Jamaica men pressed for H.M.S. Swan, and for the Agents, if possible, to find them out. But whether they are found or not, we hope that you will improve this example of the King's goodness for the satisfaction of the inhabitants. The King has also ordered £500 to be paid from the Exchequer towards paying for the transportation of such number of industrious poor people as may be willing to go to Jamaica. Here again the King's goodness is apparent, though the Agents, as it seems, have been less successful than they expected. Further, the fleet is to take one hundred supernumerary seamen for the Southampton and Reserve, so as to take away the necessity of impressing. Lastly, Captain Lilly, another engineer, goes by this ship to advise as to the defence of the island. *Signed*, J. Bridgewater, Tankerville, Ph. Meadows, Wm. Blathwayt, John Pollexfen, Abr. Hill. [*Board of Trade.* Jamaica, 56. *pp.* 73-77.]

Feb. 12. Whitehall. **722.** Council of Trade and Plantations to Governor Codrington. The King is sending out a squadron to oppose the designs of the enemy in the West Indies. We are preparing a representation to the King in the case of John Palmer. The Acts mentioned in our former letter have been approved; those since received from the Agents are under consideration. The King has issued an order vesting the power of impressment of seamen wholly in the Governors of Colonies, to whom Captains of his ships will apply when they require men. The King has given orders that no pirates shall be sheltered or entertained in the Colonies under the severest penalties. We send you herewith our letter as to the Island of Tertholen, with copies of the papers that have passed concerning it. You will see that it is less the value of the island itself that we have in view than the pernicious consequence it may be of to the Leeward Islands, if in the possession of strangers. Mr. Talbot Edwards and Mr. Heberlands sail by this fleet. *Signed*, J. Bridgewater, Tankerville, Ph. Meadows, Wm. Blathwayt, John Pollexfen, Abr. Hill. [*Board of Trade.* Leeward Islands, 45. *pp.* 57-59.]

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Feb. 12. **723.** Minutes of Council and Assembly of Nevis. Governor Codrington was present. The Assembly sent up its message of the 5th, as to the addition of Assistants to the Monthly Courts and the restoration of the former powers of the Lieutenant-Governor, by an unanimous vote. The Council assented to a proposal of the Assembly that, though the Act for the articles of war is passed for six months, the law shall be stopped for three months only, and that this three months shall not be pleadable under the Statute of Limitation.

Feb. 13. The Committee appointed to draw up bills suggested that the whole Council and Assembly should give in their views as to a bill for settlement of titles to land. In answer to the Assembly the Council gave its opinion that the Governor and Council can call upon the Assembly to prepare Acts for their approbation. The Council consented to prolong the old Act for punishment of negroes for three months. The Act for registering of deeds was passed, also that for regulation of elections, but could not be engrossed in time to be signed by the Governor before his departure. Bill for limitation of actions read and debated. Act for articles of war passed and signed by the Governor. [*Board of Trade.* Leeward Islands, 64. *pp.* 409-411.]

Feb. 13. Whitehall. **724.** Council of Trade and Plantations to Governor Fletcher. A letter recommending Henry Brabant, the engineer appointed for the fortification and defence of New York, to his protection and assistance. *Signed*, J. Bridgewater, Tankerville, Phil. Meadows, John Pollexfen, John Locke, Abr. Hill. [*Board of Trade.* New York, 52. *p.* 79.]

Feb. 13. Whitehall. **725.** William Popple to William Thornburgh. Forwarding the petition of Thomas Bulkley (*see No.* 681) for the answer of the Proprietors of the Bahama Islands thereto. [*Board of Trade.* Proprieties, 25. *p.* 53.]

Feb. 13. Whitehall. **726.** William Popple to Henry Greenhill. Enclosing packets for the Governors of Barbados, Jamaica and the Leeward Islands, to be carried by the men-of-war proceeding thither. [*Board of Trade.* Plantations General, 34. *p.* 103.]

Feb. 15. H.M. Yard, near Portsmouth. **727.** Henry Greenhill to William Popple. I have received the packets for the Governors of Jamaica and the Leeward Islands and the President and Council of Barbados, which shall be duly delivered to the commanders of the King's ships bound to these islands. In future please pay the postage or let me know to whom I shall charge the same, for it has cost me five shillings and four pence. *Signed*, Henry Greenhill. 1 *p.* *Endorsed*, Recd. Read, 17 Feb. 1696-7. [*Board of Trade.* Plantations General, 4. *No.* 31; *and* 34. *p.* 104.]

[Feb. 15.] Bermuda. **728.** A collection of papers relating to the case of Isaac Richier.

Governor John Goddard to the King. On the 3rd August, 1696, Isaac Richier sent a duplicate of your Order in Council of 19 December, 1695, and the Council and I sent him a bond to be signed by himself and others, his security to me. Copy of the bond

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is annexed. At the same time Richier sent to me another bond, said to be signed by himself and his security, to Nicholas Trott, under whose suit he still lies in prison under execution conditioned for him to prosecute his appeal from that suit to the King. After reading the Order in Council and the bonds, the Council was of opinion that the bond entered into by Richier to me, about the matters in difference between us, was not according to the said order, which prescribed that security should be given by him before restitution were made to him. The Council then decided that he must first give security, after which I should make restitution and do my part, which I declared myself ready to do. I then ordered the Secretary to draw up a new bond, shew it to Richier for his approbation and then engross it fairly. I also ordered a commission to be drawn up under the public seal of the Island for examining witnesses and taking depositions, and that a tender should be made to Richier to name his three Commissioners, after which I should name mine, and the business would proceed without obstruction. With the bond given by Richier to Nicholas Trott, the Council conceived that they had nothing to do. The bond and the form of the commission were accordingly drafted and handed to Richier for perusal. On the 18th of September the King's Order in Council was again read in Council, when the Council, having decided that both bond and commission were in accordance therewith, sent messengers to Richier to know his answer about the bond and the names of the Commissioners whom he wished to name; and he was desired to return his full answer in writing before the first Monday in October. On the 5th October Richier sent to the Council a long letter relating chiefly to the matters in difference between him and Mr. Trott, but he added that after consultation with his security he thought his first bond to comply with the Order in Council. The Council, however, decided that it did not so comply, and, as regarded his difference with Mr. Trott, referred him to a previous opinion of theirs given in August 1695, that it could give no relief. Three messengers were then sent again to Mr. Richier to demand his positive answer about the bond offered him by the Council, to which he replied that he could not at present get his security. I then sent a message to say that if he could give any one person with himself of the value of a share of land I would accept them, and would also restore all his goods or the value of them. Richier then asked for more time.

The Council met again on 14 October, 1696, when a letter was read from Richier signifying his difficulty in procuring security. Thereupon the Council resolved that the letter in no way complied with the Order in Council; but since Richier expressed himself as willing to comply with anything that was reasonably required, I sent him word that I would restore him his goods on his entering into bond to submit the matter in difference to the arbitration of two impartial persons, the one chosen by me, the other by himself, and a form of the bond required was drafted and sent to him. With this Richier seemed very willing to comply and desired time to read the bond, but he afterwards informed me by letter that he would not do it because he thought the bond first offered by him and his security was in compliance with the King's

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Order in Council, expressly contrary to the opinion of the Council many times given. Upon all this I conceive that I have given all due obedience to the Order in Council, for I have always been willing to restore to Richier his goods, or their value, upon his giving security to stand by your Majesty's determination in all matters of difference between us. But as to discharging him from prison, he is imprisoned upon execution at the suit of Nicholas Trott, sen., who recovered £1,246 from him by an action at law and only took out execution against him because he refused to give Trott security to prosecute his appeal to the King in Council. I am advised too that I have no power to discharge him from gaol, and that if I did so I should expose myself to be sued. I beg your Majesty therefore to accept this my obedience, for I am sure that you did not intend to lay on me a command which it is not in my power to obey, namely to discharge one who is in prison at the suit of another person. 3 *large pages. Annexed,*

728. I. Declaration of the Council of Bermuda, 3 August, 1696, that the bond offered by Isaac Richier does not comply with the Order in Council of 19 December, 1695, since he claims restitution of his goods before giving security. 1½ *large pages.*

728. II. Copy of the bond offered by Isaac Richier and rejected by the Council of Bermuda. 1 *p.*

728. III. Copy of the bond offered by Isaac Richier in reference to his lawsuit with Nicholas Trott. 1 *p.*

728. IV. Forms of the commission and bond offered by Governor Goddard to Isaac Richier. 1½ *pp.*

728. V. Order of the Council of Bermuda for offering the aforesaid bond and commission to Isaac Richier. 18 September, 1696. ½ *p.*

728. VI. Declaration of the Council of Bermuda that it is not in their power to admit Richier to bail or to give him any relief from his imprisonment at the suit of Nicholas Trott. 5 October, 1696. 1 *p.*

728. VII. Memorial of Isaac Richier to Governor Goddard, 4 October, 1696. A long dissertation on the reasonableness of his own offers and demands and the irregularity of the Council's proceedings, more particularly of the outlawry upon which he lies imprisoned. 3 *pp.*

728. VIII. Extracts from Minutes of Council of Bermuda, 5 October, 1696. Giving the report of Isaac Richier's answer as to the bond and commission offered to him by the Council, and Governor Goddard's offer thereupon to submit the matter in difference between them to arbitration.

728. IX. Copy of a letter from Isaac Richier to Governor Goddard, 12 October, 1696. Declaring his readiness to do anything reasonable to accommodate the differences between them.

728. X. Copy of a bond of arbitration offered to Isaac Richier by Governor Goddard. 1 *p.*

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728. xi. Letter from Isaac Richier to Governor Goddard, 23 October, 1696. Giving his reasons for refusing to sign the bond of arbitration. 1 *p.*

728. xii. Copy of Sir John Hawles's opinion against admitting Richier to appeal upon the outlawry and executions upon which he was imprisoned.

728. xiii. Declaration of Stephen Crow, Sheriff of Bermuda, that Richier's detention in prison is upon Nicholas Trott's action and not Governor Goddard's. Made before the Council of Bermuda, 16 November, 1696. 1 *p.*

728. xiv. Oath of the Secretary of Bermuda to the authenticity of all the foregoing documents. ½ *p.*

728. xv. List of the foregoing documents. *Endorsed*, Recd. 13th. Read, 15 Feb. 1696-7. [*Board of Trade.* Bermuda, 3. *Nos.* 6, 6 i.-xv.; *and* (*list of papers only*) 29. *pp.* 12-14.]

Feb. 15. **729.** Journal of Council of Trade and Plantations. The answer to the Committees of the House of Lords was signed. Mr. Randolph asked for a copy of the Attorney and Solicitor General's report upon the grant of the three lower counties (Newcastle, Kent and Suffolk) to Mr. Penn; which was ordered to be supplied to him.

Several papers from Bermuda received, and Governor Goddard's letter of 17 November last read.

Order for the heads of a Charter of the Company for working Copper-mines, etc., to be sent to Mr. Webb.

Feb. 16. Captain Shadrach Walton attending gave an account of New Hampshire, speaking in particular of the omission of Massachusetts to protect it. He represented that the New Hampshire men were better woodmen [forest-fighters] than the Massachusetts men, and that it would be of no advantage for the province to be united to Massachusetts. The question of the union of the Northern Colonies was further considered.

On the application of the Hudson's Bay Company it was ordered that the papers concerning its dispute with Mons. de la Forest be sent to Council.

The Order in Council of 11th inst. as to John Palmer was received and read (*No.* 707).

Feb. 17. Two orders from the Committees of the House of Lords received, asking for copies of the representation as to the establishment of Admiralty Courts in the Colonies and of Governor Fletcher's Commission as Governor of New York. Ordered, that they be supplied.

Mr. Brenton obtained leave to view certain Acts of New England, to which he offered objections, and asked for copy of Sir Henry Ashurst's memorial for union of the Northern Colonies, which he stated to be impossible for civil purposes owing to the varieties of forms of Government. He said that he believed Rhode Island would surrender her charter.

Mr. Way's petition read (*No.* 734). He was informed that the Council had already written to the Governor of Jamaica on the matter.

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Colonel Gibsone, appointed Commander-in-Chief of the Newfoundland expedition, attended, and agreed upon heads of estimates of the charge of necessaries for the soldiers. A copy of the representation of 25 January was given to him. The Commissioners of Transportation attended on the same business and represented the absolute necessity of ready money. They were requested to draw a new estimate of the charge for freight and accommodation of 1,500 men.

A memorial from the merchants of the Leeward Islands was read (*No.* 735). The Lords agreed to signify to Governor Codrington their dislike of the design therein considered by them.

Mr. Edward Richier presented a memorial on behalf of his brother (*No.* 733).

Order for Mr. Cole, Mr. Merret and Mr. John Cary to attend tomorrow.

Feb. 18. Mr. Bridgeman's letter of yesterday respecting the Newfoundland convoys was read (*No.* 738), and shewn to Mr. Cole, Mr. Merret and Mr. Cary, who begged that the convoys to the main fleet might be despatched without delay, and might not call at Ireland on its way.

Commissioner Greenhill's letter of 15th inst. read (*No.* 727). Representation concerning the three lieutenants of New York signed.

Feb. 19. A memorial of John Graves concerning pirates was read (*No.* 744); and the Secretary was directed to ask him for further information.

The Secretary wrote to apprise Mr. Bridgeman of the suggestions given by the Newfoundland merchants yesterday.

A letter from Mr. Thornburgh excusing the delay of the Proprietors of the Bahamas in the business of Thomas Bulkley was read. [*Board of Trade.* Journal, 9. *pp.* 406-417.]

Feb. 16. Boston. **730.** Lieutenant-Governor Usher to Council of Trade and Plantations. By Captain Shadrach Walton I gave you an account of some persons rebelling and attempting to seize the fort, and of my information as to their intentions. Since then Mr. Partridge has arrived, but to this day he has not shewed, nor acquainted myself or President Fryer and the Council of any commission for the Government, nor published any. I enclose copies of letters giving an account of John Hincks's seizing the Government, upon which I despatched to the Government an account of my proceedings, with my protest, which is also enclosed to you. The reasons for my proceedings are these. I hold the King's commission for the Government and was not willing to betray my trust. Hincks and his company, being suspended, must be restored by signet or sign manual or by virtue of a new commission, but no such instrument for restoring Hincks was ever shewed to me, therefore his restoration is illegal. Hincks, etc. as President and Council cannot act but in the absence of the Governor or Commander-in-Chief; consequently, even if he were invested with power as President, that power ceased when I was on the spot, so that he could not call a Council nor raise the militia, my commission being not as yet superseded. Again, my commission says that Councillors appointed by myself are to remain so until confirmed

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or replaced by others appointed by the Crown; so that Hincks, Vaughan and Waldern could not act, nor could Smith and Hall be laid aside but by suspension, etc. It is not my person, but the King's prerogative that they abhor and hate to submit unto. If such actions as these be overlooked, farewell (I am certain) to the King's prerogative in the Colonies. It is now upwards of four years that I have served my prince, always rendering a true and impartial account of the place. Never to this day have I received a penny, though many hundred pounds of my own estate have been spent for the King's Government. In my little trust I have been faithful, and now that arms are taken up against the King's Government my life is not safe, and I have left the Province knowing not what more I can do than to send you this account. *Signed*, John Usher. 1 *p.*

Enclosed,

780. 1. Copy of a letter from Charles Storye to Lieutenant-Governor Usher. Newcastle, 31 Jan., 1696-7. I have had no opportunity till now to acquaint you with the great politicians' management of affairs. They have taken away the King's prerogative by seizing your commission and instructions and made themselves into a Council. They have discharged Major Smith from being Treasurer and Major and put in Major Vaughan, and discharged Colonel Packer, and have displaced Major Smith and Captain Hall from the Council to make room for Waldern and Vaughan. They have also given orders to all the Captains of Militia to order those affairs. Colonel Packer, Mr. Redford and myself journeyed last Friday morning to Exeter, where I held a court and publicly declared against these enormous proceedings; urging the danger of taking away the King's prerogative, and that they were to continue under the government of your commission. Mr. Coffin, Captain Hall, the minister and considerable more people were present. From thence we rode to Hampton, etc. I beg for your presence here with all expedition, not doubting of your welcome reception by many, for the people are all startled by reason Mr. Partridge's commission is not read, he being not qualified. Probably Mr. Fryer has acquainted you how cunningly they got your commission out of his hands. 1 *p.*

Copy of a letter from William Redford to Lieutenant-Governor Usher. Newcastle, 1 February, 1696-7. On Monday sen'night I was sent for to the board, where Mr. Hincks took his place as President, with C[offin], G[reen], W[eare], Waldern, Vaughan and Eliott present as Council. Mr. Hincks told me that one Mr. Storye had an order for the place of Secretary and that I must deliver up my books. I asked leave to speak, and desired that I might see the order. The answer was "What if there be none?"; and the board again told me to deliver up my papers, asking if I

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questioned whether it was a board or a government. I answered that I had no wish to dispute, but desired to see the order for my delivery of the books; which was denied. I then said that it was so long since Mr. Partridge's arrival and their meeting that I was surprised that I was not summoned earlier. Here they interrupted me by saying that they supposed I had heard of their sitting. I answered that I had heard there was to be a meeting, but did not know on what business nor that it concerned me. In short, they pressed me hard for my books. I asked "What books?" They answered, "All in your custody." I told them that they were not completed, but that the Council's books were ready at the Island. The boat was then ordered to attend me down; and, being sensible of Mr. Storye's order I fetched and delivered most of the books. I was then asked about the Court and Province Records, when I said that they were not ready, but that they would be in two days; "but my pillow and theirs not sitting as appointed altered my design," so I shall not act nor deliver up anything more until I see you, or orders from you. The affairs of the Government stand thus. They have sent their quietus to P[acker] and S[mith] not to act any further in the militia, and Smith not to act as Treasurer; Major Vaughan is to be Major, from whom all persons will receive orders, and also Treasurer; which actions are as preposterous in themselves as they are startling to the people, who expect you here very shortly. Mr. Partridge, from all that I can say, is at his wits' end and does not like these proceedings, and, as I understand, has said that he would be glad to see you here, as the Island and the Bank are already jarring. Packer, Smith and myself am [? are] resolved not to answer their expectations, but, if they push forward, will certainly go to gaol without any bail, and henceforward will take no notice of what they say or do. I remember your motto of them, "Give them rope enough, and they will need no executioner." No doubt you will have heard from Major Smith. Smith is Smith still. Good Mr. Storye is really a gentleman and ingenious, and will stand for the King's prerogative. They hate him, and Moody has set them forward by giving Colonel Packer and myself his society (*sic*), therefore you may judge that Moody governs and sits at helm. Rebellion is his doctrine. You know him, so no further. Mr. Storye, Packer and myself went to Exeter, when he proclaimed his commission and gave his opinion of the present affairs of Government, saying that there could be no *interregnum* and that the people must take care, for they ought to act by no power but the Lieutenant-Governor's, that is to say your order. 2 *pp.*

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Copy of Minutes of Council of New Hampshire, 21 January, 1696-7. Present, John Hincks, President, Peter Coffin, Robert Eliott, Henry Green, Nath. Weare, William Vaughan, Richard Waldern. Order for the Secretary to inform Major Joseph Smith that he is dismissed from his office of Major of Militia and of Treasurer; and to inform Lieutenant-Colonel Packer that he is dismissed from his command of the Militia and from his office as Judge of Probate. 1 *p.*

730. II. Account of the proceedings of Lieutenant-Governor Usher. On the 3rd of February, while at Boston, I received news that Hincks, Waldern and Vaughan had seized the Government, seated themselves as a Council, dismissed the Colonel and Major of Militia and the Treasurer, appointed others in their places, and were calling for an account of the King's Treasury and stores. On this, in spite of the severity of the weather, I went to Hampton, arrived there at 8 p.m., and, to assert the King's prerogative, despatched that night warrants to all the members of Council to appear and attend at Hampton, at noon on the 8th February, as they would answer the contrary at their peril. At the same time I despatched warrants to the militia-officers to warn the militia to be in arms, complete with ammunition, at 9 o'clock on the morning of the 8th. On the 7th as soon as Divine Service in Hampton Church in the forenoon was done, the Major read the warrant aforesaid for the assembling of the militia. While he was reading, Captain Dow and other officers, besides several of the inhabitants, turned their backs contemptuously upon him and refused to stay and hear the warrant, though required by me to do so. However, the warrant was read, and the Major ordered all the militia to appear in obedience to it, as they would answer the contrary at their peril. Seeing such disorder I was surprised and looked for a rebellion presently, to prevent which I resolved to take one step more. Towards the close of evening service, when the minister (worthy Mr. Cotton) was about to give the blessing, I stood up and asked for his permission to speak, which he readily gave. I then said, "Gentlemen, you that "are civil and militia officers, and inhabitants, hearing "that there is dissatisfaction as to the settlement of the "Government, I am with great hazard of my life come "into the province to make all things easy and quiet. "I understand that Mr. Partridge is in the province. "If he has a commission under the broad seal and is "duly qualified by publication thereof, etc., you are to "submit to his power; but as yet he has shewed no "such commission to myself or to the Council, and "until he has published it you must obey the powers "granted to myself by the King's commission, of which "I shall now read several clauses." Having done so I

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continued, "Gentlemen, you observe in particular the "powers committed to me of suspending and appoint- "ting Councillors. John Hincks, William Vaughan and "Richard Waldern, having been suspended, cannot act "in Government unless my commission be superseded "or they be restored by the Royal authority. I there- "fore call upon all officers and all inhabitants to assist "me, and in my absence the President and Council, in "executing the powers granted to me in my commission." After service I went to my lodgings. I was told that orders were taken that, as soon as I entered the province, Colonel Packer, Major Smith, Mr. Storye and Captain Redford were to be seized, and then myself. My next news was that Mr. Eliott had torn in pieces my warrant to him and Captain Fryer to attend the Council, declaring that he would not obey it. All Sunday night the smiths were shoeing and frost-nailing the horses. Expresses were sent to all towns to be in arms, warrants for the pretended councillors to meet at Portsmouth, and for the militia to be in arms under Major Vaughan. Green from Hampton and Coffin from Exeter went to Portsmouth before daybreak upon the summons, Coffin declaring that the great guns were in readiness and the militia in arms, that they had begun and must go through, come what might of it. On the 8th finding my commission disobeyed and myself likely to be seized, I waited until 3 p.m. Having 240 men in Hampton and but 20 under arms, I read the protest at the head of those in arms, and left the province. On the 12th I heard that Major Vaughan and Pickering were at the head of the militia in Portsmouth against me, that forty horse came to Hampton to seize me soon after I was gone, and that Storye and Redford were in custody. *Signed*, John Usher. 2½ *pp.*

730. III. Protest of John Usher. Reciting certain clauses of his commission as Lieutenant-Governor of New Hampshire, declaring the assumption of authority by Hincks, Vaughan and Waldern to be illegal, and calling upon the inhabitants to support his authority, 8 Feb. 1696-7. 2 *pp. The whole endorsed*, Recd. 8. Read 11th May, 1696-7. [*Board of Trade.* New England, 8. *Nos.* 70, 70 I.-III.; *and* (*without enclosures*) 36. *pp.* 185-187.]

Feb. 16. **731.** Order of the King in Council. That strict orders be given by the Commissioners for Sick and Wounded and for Prisoners of war that no person be permitted to speak with the four Indians and the Polander who were taken at the surrender of Fort Bourbon in Canada to Captain Allen and are now bringing up to town, whether upon the road or during their continuance here, without leave first obtained from Mr. Secretary Trumbull. *Copy.* ½ *p. Endorsed*, Recd. Read 22 Feb., 1696-7. [*Board of Trade.* Plantations General, 4. *No.* 32; *and* 34. *p.* 107.]

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Feb. 16. **732.** Minutes of Council of Barbados. Accounts of disbursements for two sloops passed, also two petitions for rebate of duties. Bill as to Quakers' affirmations returned to the Assembly to be made temporary. Bill as to apprentices read thrice and passed. Ordered that after Saturday next the Militia exercise every four weeks as formerly. Bill to appoint Agents read once.

Feb. 17. On a petition of the masters of seventeen ships for leave to sail to England, it was answered that they should sail as soon as the man-of-war could be got ready after her arrival. Account of disbursements for a hired sloop passed. Bill for freedom of elections read once. [*Board of Trade.* Barbados, 65. *pp.* 192-198.]

Feb. 17. **733.** Petition of Edward Richier, on behalf of Isaac Richier, to Council of Trade and Plantations. I am informed that Governor Goddard of Bermuda has sent you an answer in writing to the Order in Council of 19 December, 1695. I annex a letter which I have received from my brother, stating the case as it stands between him and Governor Goddard, also an attestation of the Deputy-Marshal to shew you that the Order in Council has had no effect, and that my brother is still confined in prison. I beg you to take the matter into consideration and to find some way of relieving a distressed gentleman, who has suffered beyond all example. 1 *p.* *Endorsed,* Presented to the Board, 17 Feb., 1696-7. *Annexed,*

733. I. Abstract of the case of Isaac Richier, late Governor of Bermuda, since the arrival of his successor, Governor John Goddard. Mr. Goddard landed at Bermuda on 10 August, 1693. During the ceremony of reading his commission he used Mr. Richier contemptuously, and the same evening he told him in a haughty manner that he expected his house to be cleared for his reception on the next day, which was accordingly done. Some days later Mr. Goddard sent Nicholas Trott, whom he had appointed Secretary, to demand of Mr. Richier half of the profits and perquisites which he had received from the date of Goddard's commission to his arrival, together with the Bible and prayer-book given to Richier by the King for the use of the Chapel. Richier refused to comply, whereupon the Governor let loose the malice of Bermuda upon him, encouraging all who fancied themselves injured by Richier's alleged misgovernment to prosecute him, and making himself a party to the quarrel. Richier was arrested at the suit of Nicholas Trott in two actions for £2,095, and three more actions at the suit of William Peniston, Robert Hall and Thomas Walker for £10,298 altogether. Trott's suit was for damage done to tobacco in a ship which was seized for non-compliance with the Act of Navigation. Trott's only proof was a certificate under the hands of one Jennor and his brother John Trott fixing the damages at £760, but the jury wished to bring in more, and accordingly guided by the oath of Nicholas Trott, jun., they cast Richier in £1,246 damages for the loss of the ship's voyage. The particulars of these damages were written

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down and given to the jury in open court by the Clerk of Assize, at the direction of the judges, who were William Peniston, Joseph Dorrell and Samuel Trott, an immediate party to the cause. The jury brought in their verdict for the above men in spite of Richier's protest that the Court had no authority to take cognisance of acts of his administration as Governor, and appealed to the Governor in Council. The Governor however threw out the appeal at a private Court, not held on the known and appointed day for such trials, and ordered execution for the sum. As the Governor (as shall presently be told) had already robbed and destroyed Richier's estate and there was nothing left to satisfy Trott, they framed an outlawry upon the execution, and an exigent was sued forth, particularised in an account of their proceedings, to which Richier begs that the King will give attention. Under this pretended authority the sheriff a second time seized Richier's wearing apparel and sold it at public outcry. Trott's second action, which was for £95 only, was for that he pretended to fly from Richier's malicious prosecution, whereas he was really an accessory to a felony, as is shown by confession of the felons. Nevertheless the jury cast him in the whole sum, and the Governor threw out his appeal and ordered execution, whereupon several of his goods were seized and sold at public outcry. Hall's action was not prosecuted, having been instigated solely by the Governor, nor was Walker's, which was for false imprisonment, which imprisonment was for the murder of Henry Fifield. This murder he confessed at the coroner's inquest, but the Governor, Judges, Secretary and Attorney-General conspired to acquit him, threatening the witnesses and refusing to hear their evidence. The Governor, in order to assist Trott in his action, made himself and Council a peculiar Court with peculiar rules, and upon the orders of that Court made Richier a close prisoner. Richier still protested against the trial of his actions as Governor by the Courts of Bermuda. Governor Goddard then again approached Richier on the subject of the half-profits and perquisites, telling him this was the true cause of his action and offering, if Richier gave him (as he understood) £1,000, he should be free from all further prosecution and set at liberty. Richier absolutely refused to agree to this, and the Governor, though he released him from close confinement, encouraged everyone to persecute him to the utmost, even releasing the murderer Walker to preside over the Committee appointed to hear complaints against Richier. By threats and promises the Governor and Trott tried to procure an oath to confirm Trott's false accusation against Richier of disloyalty to the King, but only after much trouble prevailed on one Stow to say that he verily

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believed him to be disloyal. In September, 1693, the Governor caused to be seized and sold, without process of law, Richier's wine and other property. Richier offered to give bond to abide by the King's award in the case, but the Governor would take nothing but money. Failing to obtain it, he offered to take Richier's bond to answer his demand in England, which Richier consented to, being then very ill, but the Governor went back upon his word. While he was lying sick the Governor caused a cistern containing whale-oil, belonging to Richier, to be broken open, and took the oil. The country was so intimidated that no one durst speak on Richier's behalf at the Assizes in December, 1693. The Sheriff is only a creature of the Governor's, and he in February, 1694, actually signed a proclamation, which was read in the churches, forbidding all persons under severe penalties to pay debts due from them to Richier, or to deliver to him property of his own which was in their keeping, but to give up all to the Sheriff, and commanding all persons not to presume upon their peril to buy or sell to Richier, there being several executions against him. The whole of Richier's clothing and furniture was thereupon seized and sold, and since even the Bermudians refused to buy them, in their resentment against such malice, one Wall, an emissary of the Governor, was employed to buy them. This execution was at the suit of William Peniston, who had been imprisoned by Richier for attempted rebellion and restored by Governor Goddard. The jury refused to give him more than £6 damages, but at the instigation of the judges allowed him £18 more, on his swearing falsely that this was the amount of his costs. Wall, his attorney, is a man who fled from England, being guilty of forgery, and came out with Governor Goddard. Richier's case is not the only one in which the Governor has used the forms of justice for purposes of extortion.

Since Richier still refused to yield, two narratives were drawn up and sworn to by Wall, one to shew Richier and Colonel Devereux guilty of disloyalty and disaffection, the other to convict him of several crimes. Richier and Devereux were both arrested and brought before Council, where the charges broke down so completely that the Governor made fair professions of a change of feeling towards Richier, declared that Nicholas Trott's prosecution should go no further and that he would give Richier liberty to go to England. In two days however he repented, took Wall to his bosom again and employed him to finish the aforementioned outlawry. Richier and Devereux brought actions against Wall for scandal, but the judges refused to allow a trial for either action; and Wall afterwards by a perversion of legal forms contrived that he and several others should be imprisoned for a time, until the

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Governor for very shame cancelled the proceedings. Devereux then shewed Wall's true character to the Governor, who caused Wall's papers to be searched, when a confession of forgery, addressed to Chief Justice Holt, was found among his papers. He was thereupon committed to close prison, but he was released by the Governor very shortly. Colonel Devereux managed to escape from the Island, though the Governor had refused to let him go unless he paid a large sum, and begs your Majesty for justice, as also does Isaac Richier. 6 *large very closely written pages of confused narrative.*

733. II. Attestation of John Rawlins, Deputy Marshal of Bermuda. As to the persistent ill-treatment of Isaac Richier by Governor Goddard through keeping him in the common gaol with common criminals and negroes, refusing to change his place of confinement even when Richier was held to be sick to death. 1½ *pp.* [*Board of Trade.* Bermuda, 3; *Nos.* 7, 7 I., II.]

Feb. 17. **734.** Petition of Benjamin Way, on behalf of Samuel Lewis of Jamaica. That Lewis may have orders to dispose of the King's money resting in his hands on account of provisions, etc., sold by the Lieutenant-Governor's order, and to pay to himself the sums due to him as Commissary-General, Muster-master, Pay-master and Judge Advocate; and that he may be confirmed in those offices on giving such security as the Lieutenant-Governor shall direct. ½ *p. Endorsed,* Recd. Read 17 Feb., 1696-7. [*Board of Trade.* Jamaica, 8. *No.* 46.]

Feb. 17. **735.** Memorial of merchants trading to Nevis to Council of Trade and Plantations. We hear that some people in Nevis are endeavouring to get the statute of limitations pleadable in the Courts there, whereby to defraud merchants of the debts justly due to them, but which they have not been able to recover owing to the suspension of the Courts of Justice in consequence of the war. If they compass this end they will utterly ruin the merchants; and we beg you to represent the matter to the King, that he may direct that our debts may be recoverable notwithstanding the Act of Limitation, which has never been pleaded there in any Court since the settlement of the Island. *Twenty-two signatures.* 1 *p. Endorsed,* Recd. Read 17 Feb., 1696-7. [*Board of Trade.* Leeward Islands, 5. *No.* 38; *and* 45. *p.* 61.]

Feb. 17. **736.** The Attorney General to Council of Trade and Plantations. Reporting that there is no reason against confirmation of two Acts of Antigua, one a Naturalisation Act, the other obliging the Secretary and Marshal to give security for good behaviour. *Signed,* Tho. Trevor. ½ *p. Endorsed,* Recd. Read 22 Feb., 1696-7. [*Board of Trade.* Leeward Islands, 5. *No.* 39; *and* 45. *p.* 62.]

[Feb. 17.] **737.** Particulars necessary for the land-forces for the expedition to Newfoundland, in order to an estimate. Ordnance-stores,

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artillery officers, victuals, transports, Judge Advocate and Commissary of Musters and stores ("all in one") with an Assistant, Physician and Apothecary ("in one"), medicines, clothing, subsistence, contingent charges, hospital ship and provisions for sick soldiers, instructions for Commander-in-Chief, "and what also may be necessary." ¾ *p. Endorsed,* 17 Feb., 1696-7. [*Board of Trade.* Newfoundland, 3. *No.* 46; *and* 25. *p.* 88.]

Feb. 17. Admiralty Office. **738.** William Bridgeman to William Popple. The Admiralty have ordered instructions to be given to the two ships which are to convoy the salt-ships to Lisbon and Newfoundland, and desire to be informed what is the wish of the merchants as to these instructions, particularly after the convoy shall have arrived at Newfoundland. *Signed,* Wm. Bridgeman. ½ *p. Endorsed,* Recd. 17, Read 18 Feb., 1696-7. [*Board of Trade.* Newfoundland, 3. *No.* 47.]

Feb. 17. Exon. **739.** The Mayor of Exeter to William Popple. The merchants, notwithstanding the order to make ready their ships for Lisbon and Newfoundland, are disturbed by the press-ketches, of which their seamen and carpenters are so apprehensive that they cannot fit out their ships to take advantage of the convoy. They beg therefore that you will send down a protection for the men belonging to the ships bound to Lisbon and Newfoundland, to Newfoundland direct and to Bilbao, and to prevent the carpenters from being impressed till the fleet has sailed. *Signed,* Chr. Bale. ½ *p. Endorsed,* Recd. 20, Read 22 Feb., 1696-7. [*Board of Trade.* Newfoundland, 3. *No.* 48.]

Feb. 18. **740.** Council of Trade and Plantations to the King. On the complaints of Lieutenants Shanke, Sydenham and Wright we would point out that they were first made at New York and referred to the Council there, who have transmitted to us, but without any decision thereon, the answer of the parties concerned, containing something of proof in opposition with much of recrimination and imputation of debauchery, mutinous practices and cowardice. The Lieutenants have now presented to us several sworn affidavits containing for the most part the same things in a different form. Some of them begin from the very raising of the Companies in England. Lieutenant Sydenham in particular imputes things to Captain Weems of which we can form no judgment owing to the Captain's absence; and we must recommend that what relates to him may be kept in suspense till he can answer for himself. Then follow complaints against Captains Hide and Weems of keeping back part of the sailors' subsistence-money and of charging for short allowance of provisions on board ship at the rate of full allowance; but to this Captain Hide in New York submitted accounts to shew that his men had all along been duly subsisted, and we conceive that these (of which a copy has been sent to us) will be examined by the proper officers. The substance of all their complaints is the hardship suffered by themselves and their soldiers for want of due payment of subsistence-money (which they say the Governor and their captains received) and from the deduction of 30 *per cent.* from such money as was paid to them; and to this they attribute the desertion

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of their men and their own resignations. They add that the Companies have not been kept full, that no musters have been taken and that they have been asked to sign false musters; and Lieutenant Shanke says in particular that Major Ingoldsby received subsistence for sixty men, whereas there were not above thirty in his company. Besides the answers received from New York we have received further answers from the Agents, denying the detention of subsistence-money, but acknowledging the hardships suffered by the forces, though imputing the desertions to the misconduct of the Lieutenants themselves. It is plain to us that the deduction of 30 *per cent.* is no exaction of the Governor and Captains, but prescribed by your Royal Order of 1 April, 1694. The accusation that the Lieutenants were solicited to sign false musters appears not to have been imputed to the Captains at New York, and the Lieutenants have owned to us that such solicitation was not made directly by the Captains, but by others in their name. The dismissal of the Sheriff of Albany is not proved. The neglect to make musters is disproved by a copy of the muster-rolls of the Governor's and Major Ingoldsby's Companies dated July, 1693. We understand that Major Ingoldsby is expected shortly, and until his information has been received, we are unable to offer an opinion on the matter. *Signed*, J. Bridgewater, Tankerville, Phil. Meadows, Wm. Blathwayt, Jno. Pollexfen, Abr. Hill. [*Board of Trade.* New York, 52. *pp.* 83-88.]

Feb. 18. **741.** Minutes of Council of Massachusetts. A letter from Connecticut read respecting the dispute between the towns of Windsor, Enfield and Suffield. Order for a copy of the concession made by the Massachusetts Government to be sent to the Governor of Connecticut as requested. Order for the Treasurer to issue bills of credit, and for a committee to take an account of them. Order for payment of £130 to John Walley, and of their respective salaries to the officers of Excise. [*Board of Trade.* New England, 49. *pp.* 72-74.]

Feb. 18. Boston. **742.** Lieutenant-Governor Usher to Council of Trade and Plantations. In consequence of the usurpation of power in New Hampshire and the outrages following thereupon, I have advised Mr. Charles Story to go to England to lay before you the true state of New Hampshire. He is an ingenious, loyal, worthy person, whose account may be more ample and satisfactory than I can give with my pen. I hope that you will give orders for his quick return with full powers and instructions. *Signed*, John Usher. ½ *p. Endorsed*, Recd. 8th, Read 11th May, 1696-7. [*Board of Trade.* New England, 8. *No.* 71; *and* 36. *pp.* 187-188.]

Feb. 18. **743.** Minutes of Council of Maryland. Several masters of ships attending declared that it would be impossible for them to sail at the time appointed owing to the bad weather during the winter.

Feb. 19. The Governor consulted the Council whether, in view of the number of ships likely to stay behind it was necessary to call an Assembly. The Council thinking this inconvenient, it was agreed

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to send a state of the case to the Sheriffs, to be by them shown to the Burgesses and Justices, who would then give their opinion. Further proceedings on the same subject. Colonel Darnall gave in several papers and certificates upon oath. He also obtained leave to go to England. Sundry orders for returns to be made by the Collectors and Naval Officers. The Governor's letters to Sir Edmund Andros asking for the apprehension of John Coode, also a letter to the Commodore asking that the fleet may be searched for him. Order for the Rangers to send for their arms and saddles. [*Board of Trade.* Maryland, 13. *pp.* 225-237.]

Feb. 19. **744.** John Graves to Council of Trade and Plantations. Two years ago last October I was travelling from New England to New York, when I saw three small vessels, a sloop, a brigantine and a barque, fitting out at Rhode Island. The name of the master of the sloop was Thomas Tue [Tew], whom I had known living in Jamaica twelve years before. He was free in discourse with me, and declared that he was last year in the Red Sea, that he had taken a rich ship belonging to the Mogul and had received for his owner's dividend and his sloop's twelve thousand odd hundred pounds, while his men had received upwards of a thousand pounds each. When I returned to Boston there was another barque of about thirty tons ready to sail and join Tew on the same account. I was likewise advised of another that had sailed from the Whorekills in Pennsylvania, and that one or two more were since gone on the same account. I understand that two of the four that I saw are returned with great booty. *Signed,* Jno. Graves. 1 *p. Endorsed,* Recd. Read, 19 Feb., 1696-7. [*Board of Trade.* Plantations General, 4. *No.* 33; *and* 34. *p.* 105.]

Feb. 19. Admiralty Office. **745.** William Bridgeman to William Popple. In reply to yours of 4th, the Crown is the man-of-war intended from Milford to Portugal and Newfoundland, and will be ready for sea as soon as she can be victualled. I will inform you of the number of soldiers that can be conveniently carried in the squadron for Newfoundland, when Mr. Russell has spoken to the King about it. *Signed,* Wm. Bridgeman. ½ *p. Endorsed,* Recd. 20, Read 22 Feb., 1696-7. [*Board of Trade.* Newfoundland, 3. *No.* 49.]

Feb. 19. Whitehall. **746.** William Popple to William Bridgeman. In reply to yours of 17th, the merchants desire that the two convoys for the ships to Portugal may proceed from thence directly, and if possible together, to Trinity Bay, where it is believed that they will be secure and able to obtain information. [*Board of Trade.* Newfoundland, 25. *p.* 89.]

Feb. 20. Annapolis, Maryland. **747.** Petition of Sir Thomas Laurence, Secretary of Maryland, to the King. For an allowance to be made to him out of fines and forfeitures for the fees of such writs and process as issue out of his office upon the King's account. *Signed,* Thomas Laurence. 2 *pp. Endorsed,* Read 26 Aug., 1697. [*Board of Trade.* Maryland, 3. *No.* 11; *and* 9. *pp.* 106-107.]

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Feb. 22. **748.** Minutes of Council of Barbados. Two accounts for hire of boats and of a sloop passed. Order for the New England ship, which was driven in by stress of weather, to be permitted to lade sugar or rum. [*Board of Trade.* Barbados, 65. *pp.* 193-194.]

Feb. 22. **749.** Minutes of Council of Massachusetts. A letter from Governor Fletcher read, giving a complaint as to the Skachkook Indians lately killed in New Hampshire on suspicion of murder, and as to two more still confined there. Advised to refer the whole matter to Colonel William Pyncheon to report thereon, and shew that these Indians suffered justly. [*Board of Trade.* New England, 49. *p.* 74.]

Feb. 22. **750.** Commissioners for Sick and Wounded Seamen and for exchange of prisoners of war, to the Council of Trade and Plantations. In obedience to your orders we sent for the four Indians taken at the surrender of Fort Bourbon and brought into Plymouth. One of them died at Plymouth and another is fallen sick at Exeter. The other two were brought to town last Saturday, and pursuant to the Order in Council of 16th inst. have been kept from communication with any person. They pretend to be of better character than ordinary persons in their own country, and having formerly been formally arrested in France they require a suitable treatment from us here. Our allowance to the prisoners can be but 4*d. per diem*, and though these Indians have spent and will cost 20*s. per diem*, yet while they are under our care they look upon themselves as prisoners. We beg that they may be disposed into such proper hands as may answer your expectations and deserve the expense. *Signed*, Antho. Shephard, Chris. Kirkby, Da. Elder. 1 *p. Endorsed*, Recd. Read 22 Feb. 1696-7. [*Board of Trade.* Plantations General, 4. *No.* 34; *and* 34. *p.* 106.]

Feb. 22. **751.** Journal of Council of Trade and Plantations. Mr. Bridgeman's letter of the 19th inst. as to transport of soldiers to Newfoundland read (*No.* 745). Mr. Bale's letter of the 17th inst. read (*No.* 739). The Secretary was ordered to ascertain from Mr. Merret what answer he had received from the Admiralty on the same subject.

The Attorney-General's report of the 17th inst. on the Acts of the Leeward Islands read (*No.* 736). Agreed to draw up a representation accordingly.

Mr. Nicoll gave information as to the Indians who were brought from New York, and a representation from the Commissioners of Sick and Wounded, dated this day, was read (*No.* 750).

Sir Henry Ashurst begged for an early representation on the union of New England and New York, saying that Lord Bellomont would accept the joint government of both, with the regular salary allowed to the Governor of New York only, throwing himself upon Massachusetts for the rest.

The Secretary gave a list of documents sent to the Committees of the House of Lords.

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Feb. 23. Mr. Merret, attending, reported that the Admiralty had ordered protection to be given to the seamen employed in the Newfoundland trade.

Feb. 24. Order for the Secretary to represent further to the Admiralty the necessity for protecting the seamen of the Newfoundland fleet from impressment, and inform the Mayor of Exeter that he has done so.

The Council, being moved by Sir William Trumbull, wrote to the Commissioners of Customs desiring as speedily as possible a list of persons fitted to be employed in the Admiralty Courts in the Colonies, and ordered Mr. Randolph to attend the Commissioners if required.

Letter to the Commissioners of Sick and Wounded respecting the Indians from New York written.

Feb. 25. Mr. Bridgeman's letter of yesterday as to the Newfoundland squadron read. The Newfoundland merchants, attending, complained of the backwardness of our preparations and the forwardness of the French, producing a letter from Rotterdam in confirmation of the letter. The Council advised them to lay this advice before the Admiralty.

Representations as to the union of New York and New England, and as to the Acts of the Leeward Islands signed.

Feb. 26. Letter from Mr. Bridgeman dated yesterday read relating to the protection of seamen in the Newfoundland fleet. Order for the substance to be communicated to Mr. Cole.

Letter from the Commissioners of Customs of 25th inst. received and read. The Council suspended a decision thereon until the list of officers recommended for the Admiralty Courts should be complete. [*Board of Trade.* Journal, 10. *pp.* 1-9.]

Feb. 23. H.M. Yard near Portsmouth. **752.** Henry Greenhill to William Popple. Forwarding a receipt for packets. ½ *p.* *Endorsed,* Recd. 27 Feb., 1696-7. *Enclosed,*

752. 1. Receipt of the captain of the ship Breda for three packets delivered to him for the President and Council of Barbados, the Governor of Jamaica and the Captain-General of the Leeward Islands. 24 Feb., 1696-7. *Scrap.* [*Board of Trade.* Plantations General, 4. *Nos.* 35, 35 I.]

Feb. 23. Whitehall. **753.** William Popple to John Graves. The Council of Trade having perused your memorial of the 19th, and hearing that you are shortly about to reside in the Bahama Islands, desire you after your arrival to enquire diligently into all matters of piracy, as well past as that may occur in the future. Enquire particularly into the late scandalous reception of Every and his associates, and endeavour to discover any of the villains, or others involved in the like guilt, lurking about the Islands. Collect what proof you can against them, with a view to their punishment, and generally report whatever else may seem to you expedient for the suppression of piracy. [*Board of Trade.* Plantations General, 34. *pp.* 107-108.]

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Feb. 24. Admiralty Office. **754.** William Bridgeman to William Popple. The Monk, Lion, Portland and Guernsey, part of the squadron going to Newfoundland, are ordered to be immediately victualled to proceed thither. They will take on board 500 soldiers at Portsmouth, or as many as they conveniently can without being pestered. The remainder of the forces will be embarked in the other ships of the squadron, which will proceed very suddenly after them. *Signed*, Wm. Bridgeman. ½ *p. Endorsed*, Recd. Read 25 Feb., 1696-7. [*Board of Trade.* Newfoundland, 3. *No.* 50; *and* 25. *p.* 90.]

Feb. 24. Whitehall. **755.** William Popple to the Secretaries of the Admiralty. Complaints have been made from several of the Western ports of the impressment of seamen and carpenters employed in preparing their ships for Newfoundland. Protections for men on board ship only are of no service, since the men's work lies in great measure ashore. It is requested that the Admiralty will give the orders necessary to remedy this. [*Board of Trade.* Newfoundland, 25. *pp.* 89-90.]

Feb. 24. Whitehall. **756.** William Popple to the Commissioners for Sick and Wounded and Prisoners. In reply to yours of 22nd inst., relating to the Indians lately brought to town, the Council of Trade does not think it proper to meddle with what you propose thereon; but supposing that the matter will to-morrow be moved to the King in Council they leave it to you to make application thereupon, when you judge necessary. [*Board of Trade.* Plantations General, 34. *p.* 108.]

Feb. 24. Whitehall. **757.** Council of Trade and Plantations to the Commissioners of Customs. The King having required us to submit the names of persons to be employed in the Admiralty Courts to be erected in the Plantations, we desire you to give us a list of such names as you think fit for those offices. *Signed*, J. Bridgewater, Tankerville, Ph. Meadows, Jno. Pollexfen, Abr. Hill. [*Board of Trade.* Plantations General, 34. *p.* 109.]

Feb. 25. Admiralty Office. **758.** William Bridgeman to William Popple. In reply to yours of yesterday, the Admiralty have not for some time past granted protections because of the many abuses that attended them, but they have sent orders to the Western ports that no men shall be impressed who are employed in fitting out and are in the service of the ships bound to Newfoundland. They doubt not that this will answer the purpose desired. *Signed*, Wm. Bridgeman. ½ *p. Endorsed*, Recd. Read 26 Feb., 1696-7. [*Board of Trade.* Newfoundland, 3. *No.* 51; *and* 25. *p.* 91.]

Feb. 25. Custom House. **759.** Commissioners of Customs to Couuncil of Trade and Plantations. In reply to yours of 24th, we have summoned before us Mr. Randolph, Surveyor General of the Plantations on the North Coast of America, and received from him a list, which he laid before the Admiralty, of persons fitted to be officers of the Admiralty Courts in these Plantations. On further enquiry he has altered the names of the persons in South Carolina and the Bahamas, and we enclose the list with those alterations. Our best means of judging of their fitness is from the character that Mr. Randolph

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gives of them. *Signed*, Robt. Clayton, Walter Yonge, Sam. Clarke, Ben. Overton. 1 *p.* *Endorsed*, Recd. Read 26 Feb., 1696-7. *Enclosed*,

759. I. Names of persons to be appointed Judges, Registers and Marshals in the Courts of Admiralty.

Colony.	*Judge.*	*Register.*	*Marshal.*
Bermuda - -	Gilbert Nelson	Sam. Spoforth	Samuel Dafrey
South Carolina	Joseph Norton	Thomas Carey	Richard Bollinger
Virginia and North Carolina	Edward Hill	Miles Cary -	Michael Sherman
Maryland - -	Sir Tho. Laurence	Henry Denton	Tho. Collier
Pennsylvania West Jersey	Robert Quarry	Wm. Rodeney	Robt. Webb
New York, East Jersey, Connecticut	William Smith	John Tudor -	Jarvis Marshall
Rhode Island -	Peleg Sanford	Nathl. Coddington	Wm. Allen
Massachusetts, New Hampshire	Nathl. Byfield	Lawrence Hammond	Hy. Franklin
Bahamas - -	John Leighton	Tho. Wa'dock	Joseph Harwood

[*Board of Trade.* Plantations General, 4. *Nos.* 36, 36 I; *and* 35. *pp.* 111-112.]

Feb. 25. **760.** The Privy Council to the King. On the complaint of Mons. de la Forest of the breach of the articles with Captain Allen in the surrender of York Fort in Hudson's Bay, we report as follows. Mons. de la Forest has shewn us the articles of capitulation, also a list of the furs shipped on board Captain Allen's ship, H.M.S. Bonaventure, with a valuation thereof amounting to £14,430. By the articles the goods should have been delivered at Placentia, Newfoundland, but were intercepted by the Hudson's Bay Company. The Company pleads on the other hand that Captain Allen had no authority by his instructions to make any articles for the surrender; to which Mons de la Forest answers that he knew of no authority but the force which Captain Allen brought with him. On the letters exchanged between Captain Allen and Mons. de la Forest, however, the Company insists (as indeed appears in one of Captain Allen's letters) that he did break his instructions, and that therefore the articles need not be performed. Secondly, the Company insists that even if Captain Allen had been duly authorised, yet the infraction by the French of the capitulation of York Fort in 1694 justifies the detention of the goods now in question by way of reprisal. The said capitulation was laid before us, as also several depositions, testifying to the hardships inflicted on the English garrison by the French, in detail. To this Mons. de la Forest replies that these injuries were of a private nature, and offers depositions to shew that the capitulation was observed, and that Mons. d'Iberville always gave redress on any complaints of the prisoners. The witness, Thomas Jacobs, who was tortured, admits this, and declares that the

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reason why he was so treated was because the French alleged that they had suspicion of a conspiracy, but he also admitted that the French examined him as to the Company's affairs, and the Company's witnesses deny that there was any plot. The Company then produced three more witnesses to invalidate the evidence adduced by Mons. de la Forest. A letter from the witness Parsons was then adduced on behalf of Mons. de la Forest (*see No.* 561), but the deposition reasserts the truth of his former evidence. The Company then argued that the goods in question were either those taken from them in 1694 or gained by the merchandise taken from them in that year, and claim the goods by your royal grant, also pleading that their value is small compared to what the French have taken from them. Mons. de la Forest answers to this that the previous losses of the Company are beside the question, that there were no furs in York Fort at the time of the invasion of 1694, and that there was no breach of the capitulation made in that year. The question seems to be (1) Had Captain Allen authority to treat in the two main articles insisted on, and can M. de la Forest expect any benefit from them if he had not, especially since Captain Allen writes to him that he acts contrary to his orders? (2) Was the capitulation of 1694 so broken as to justify reprisals? 10½ *pp. Endorsed*, Read in Council 25 Feb., 1696-7. Recd. 13 May, 1698. [*Board of Trade.* Hudson's Bay, 2. *No.* 14; *and* 3. *pp.* 55-64.]

Feb. 25. Kensington

761. Order of the King in Council. That two Indians who were made prisoners by Captain Allen at the surrender of York Fort in Hudson's Bay, be handed over to the New York Agents, who shall not permit Mons. de la Forest, the late Governor of that fort, nor any other person to speak to them without leave from Secretary Trumbull. The Agents will see that they and their interpreter are well treated here, and will take them with them on their return, making provision for their passage, etc. The Commissioners for Sick and Wounded will allow such sums as the Council of Trade shall approve for these services. *Signed*, John Nicholas. 1 *p. Endorsed*, Recd. Read 17 March, 1696-7. [*Board of Trade.* New York, 7. *No.* 13; *and* 52. *p.* 88; *and* Plantations General, 4. *p.* 124.]

Feb. 25. Whitehall.

762. Council of Trade and Plantations to the King. We have duly considered your order in Council of 10 December last, with a memorial from Massachusetts, as also other memorials from the Agent of that Colony and of the neighbouring Colonies as to a union among them for common defence. The importance and advantage of such union for mutual defence and common security is on all sides agreed on; the objections to the methods of executing it vary according to the interests of the parties by whom they are made. The proposition chiefly insisted on in the aforesaid memorials is that the Governor of Massachusetts may be also civil Governor of New York and New Hampshire and General of all the forces of those Colonies as also of Connecticut, Rhode Island and New Hampshire. To this the Agent of Connecticut objects that the imposing even of a military governor with power to demand men, ammunition and provisions without consent of the Governor

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and Company, would be hard on the people and a breach of the charter. The Proprietor of New Hampshire, Mr. Allen, has also objected to the subjecting of that province to the Government of Massachusetts as tending to increase the charge on the inhabitants without addition to their security and without assurance of better administration by strangers, than by the Proprietor and inhabitants. The Agents for New York oppose the union of Massachusetts with New York on the ground that the two Colonies are far apart, that Boston and New York are rivals in trade, and that it would be hard for the inhabitants of New York to be compelled to repair to Boston, or for the Governor's salary, which is paid by the people, to be spent elsewhere than in New York. The Agents for Massachussetts on the other hand make light of these objections (*see Nos.* 691, 704). On our representation of 30 September last we expressed an opinion that the Colonies in North America could not be preserved unless some vigilant and able man were appointed Captain-General of all the forces there, and on 25 November last we proposed that the Governor of Massachusetts should have superior command over all New England during the war. We may add that we think the different forms of government in the various Colonies render all union, except under such a military head, impracticable, and that the regulations of 1694 have been so little complied with that it requires the exertion of a more vigorous power than has yet been practised to make them produce the desired effect. Nevertheless since the right of appointing Governors to Massachusetts, New York and New Hampshire lies in your Majesty, as also to appoint a military head over all the provinces in time of war, we recommend the appointment of a fit person to be Governor of Massachusetts, New York and New Hampshire, who shall be also Captain-General of all the forces in Connecticut, Rhode Island and the Jerseys, and that his chief residence during the war should be at New York, though with liberty to move from time to time to Boston, leaving a Lieutenant-Governor in either place during his absence. We think that hereby the General Assemblies of the Colonies may be made to understand their own interests and to enact such laws as will enable your Captain-General to execute his Commissions. *Signed*, J. Bridgewater, Tankerville, Ph. Meadows, Jno. Pollexfen, Abr. Hill. [*Board of Trade.* New England, 36. *pp.* 134-139.]

Feb. 25. Kensington. **763.** Order of the King in Council. Approving the representation of the Council of Trade concerning the union of New York with Massachusetts and the adjacent Colonies under one Governor or Captain-General. *Copy.* ½ *p.* [*Board of Trade.* New England, 8. *No.* 72; *and* 36. *p.* 205.]

Feb. 25. Kensington. **764.** Order of the King in Council. That the Attorney-General inspect the charters of Connecticut and Rhode Island in relation to the Government and powers of constituting Governors of those Colonies, and report his opinion thereon. *Copy.* ½ *p.* [*Board of Trade.* New England, 8. *No.* 73; *and* 36. *p.* 207.]

Feb. 25. Whitehall. **765.** Council of Trade and Plantations to the King. Recommending the confirmation of two Acts of Antigua, one a Naturalisation Act, the other to oblige the Secretary and Marshal to give

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security. *Signed*, J. Bridgewater, Tankerville, Ph. Meadows, John Pollexfen, Abr. Hill. [*Board of Trade.* Leeward Islands, 45. *p.* 63.]

Feb. 25. Kensington. **766.** Order of the King in Council. Confirming the two Acts of Antigua mentioned in the preceding abstract. *Copy.* 1 *p. Endorsed*, Recd. Read, 9 June, 1697. [*Board of Trade.* Leeward Islands, 5. *No.* 40; *and* 45. *pp.* 68-69.]

Feb. 25. **767.** Minutes of Council of Barbados. Orders for sundry payments, as to the assessment of the Jews, for discharge of one of the hired sloops, for the sale of a captured ship, and for a recompense to the men who took her. Orders as to the distribution of matrosses. An enquiry was held as to the negro who fled on board the French flag of truce, and whom the French claimed as a free French subject.

Feb. 26. The Assembly brought up four bills, to enable Quakers to make affirmation in lieu of taking an oath, to settle the militia, to prevent the escape of white men, negroes or slaves in boats, and an additional bill for quartering the King's soldiers. They also requested that the Act enabling judges to appoint their own clerks might be enforced and recorded in the Secretary's office. [*Board of Trade.* Barbados, 65. *pp.* 194-196.]

[Feb. 27.] [Jamaica.] **768.** Extracts of letters from Sir William Beeston to William Blathwayt, of 19 November, 1696, 27 January and 27 February, 1697. These Plantations were begun under difficulties enough to drive most of the people from them, and the rest are so discouraged that they leave it as soon as they have disposed of their interests. Without some better help they must shortly fall into the hands of the enemy from abroad or of the negroes within. This must certainly happen soon, if assistance be not sent, for the people say that if they are not thought worth preserving and are thus left to dwindle, it were better they were plainly dealt with, so that they might sell their negroes and moveable property to the Spaniards and move to some better place. Nor can the island recover unless the Acts of Navigation be relaxed for seven years, which would fill the country with people and trade, and make it past danger of any attempt. If the Customs outward were paid here, the people would willingly pay 2*s.* 6*d. per cwt.* on the sugars, and other goods *pro rata*, which would raise thrice as much custom to the King as it now does, for the King would be at none of the losses and waste of the goods going home. In a short time it would raise £20,000 a year and would daily increase, besides the great advantage of the gold and silver which would be yearly sent home from the Spanish trade. But now, owing to the war and the scarcity of people, there is neither trade nor income, so that I do aver to you it costs me £600 or £700 a year more than I receive by all incomes to support the honour and charges of the Government; and yet for all that I live below the honour and dignity of it, and cannot help it unless I ruin what I have of my own, which I do not think that the King expects of anyone. It may be urged that many of the planters that are left are not only grown free from debt since I came here but rich, and have stocks of money by them. But this is due to

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the rate at which all their goods are sold here, while the merchants that have bought them have lost them and are undone. Moreover, though the planters that are left are rich, there are none but themselves left to defend it.

27 *January*, 1697. The Admiralty wrote to me that the King's ships were under my orders, nevertheless Captain Kirkby has additional orders which empower him, on the vacancy of an officer's post in the ships, to fill it with those that are next in course, any appointments by the Governor notwithstanding (though I have not needed to appoint any officers since Captain Wilmot was here). On virtue of this order he issues commissions under his hand and seal, and puts in strangers, which is urged as a blame against me. Thus one man may do what another must not without blame. In his commission he calls himself the Honourable Colonel Kirkby, Commander-in-Chief of all H.M. Ships in this island, and gives orders to the other captains, which is none of his business. But I had the King's orders not to meddle with any of them in future, so they must do what they please, though I think there cannot be two Commanders-in-Chief at one time in one place without prejudice to the King's service, as the miscarriages at Martinique and Hispaniola make manifest. Thus in effect the ships are of great charge here to the King, but do very little service, otherwise I would not trouble myself about them; nor will I say a word to the Admiralty about this, for I know they countenance it. If however you think fit to lay what is necessary before the Council of Trade, I leave it to your judgment, for I will not complain myself if my hands are tied by the Royal Orders not to meddle with the ships. However it is hard, since a small authority to the officers must encourage them to affront any power, that the Governor here must be subjected to their insults. Captain Kirkby believes and says that the Governor has no power here but on land—no not in the harbour. When they do a thing they cannot justify, then they ask my order, but not in anything else. I have always endeavoured to do my duty to the King's service, wherefore I am concerned to see things, contrived by the King for the good of the people, so managed that they do harm. For it is certainly true that the pressing and the carriage of the officers have driven away most of the people. Besides, this makes the Government contemptible, for the people, seeing the Governor's authority disputed and slighted by others, take example from them and are ready to side with them and do the same. Had I not the King's orders not to meddle with them I should not bear it, which they well enough know and gives them the confidence to take the more liberty. Captain Moses has taken the rebel Grubbin, who has been the greatest robber on the out-parts of this island. He shall be brought to justice, which is all the satisfaction which the poor people will have who lost their negroes. I gave Captain Moses public thanks and £100 for his good service. Mons. Ducasse threatens to retaliate on one Captain Price, if Grubbin is brought to justice, but that shall not deter me. I have sent the Duke of Shrewsbury depositions to show how ill the Spaniards treat our people when they meet them and can overpower them, though we always treat their people with respect.

27 *February*. We have been obliged to retain the Southampton, which was just about to sail, on news of Mons. Pointis. Since we

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have heard no more of him we guess that he has designs on the galleons or flota. I have an account of five sail seen passing down the North side of this island on the 13th and 14th, which may be part of them going to Havana. If so, our fleet of merchant-ships which sailed the same day will be in great danger of being lost. The soldiers who remain here are very healthy and lusty, and I take care that they have their due pay, but they would earn more money and live better if they were broke, do more service by their labour and trades, and save the King so much money. My sloop has just come in with the intelligence that part of Mons. Pointis's fleet was seen to go into Lugania on the 23rd. A French prisoner, who has been brought in by the sloop, says that the fleet was expected to number twenty-eight in all, but that five sail departed thence a fortnight ago and passed down the Northern coast of this island.* I will do my best to defend the place, but this is a force that surpasses my strength. *Copy.* 4 *pp. Endorsed,* Recd. Read, 7 June, 1697. [*Board of Trade.* Jamaica, 8. *No.* 47; *and* 56. *pp.* 95-01.]

Feb. 28. **769.** Minutes of Council of Jamaica. Upon intelligence that Mons. Pointis's squadron had arrived at St. Domingo, orders were given for proclamation of martial law, for distribution of ammunition and provisions at various points, for the women and children to be removed from Port Royal, for six fireships to be fitted, for the train of artillery to be made ready, and for Edward Broughton, John Dores, Robert Cotes and John Veale to be aides-de-camp to the Governor. [*Board of Trade.* Jamaica, 79. *pp.* 56-58.]

March 1. **770.** Journal of Council of Trade and Plantations. The Secretary reported that he had laid copies of further papers before the Committees of the House of Lords.

Sir William Beeston's letter of 17 October to the Duke of Shrewsbury read (*No.* 325).

Order for the representation concerning the three New York Lieutenants to be shewn to Mr. Southwell if he desires it.

Order for a representation to be drawn recommending officers for appointment to the Admiralty Courts in the Colonies, and for the Secretary to request the Secretary of Customs to make the list of those officers more perfect.

March 2. Mr. Secretary Trumbull communicated orders from the King as to the despatch of the West Indian convoys. Order for the West India merchants to attend to-morrow.

March 3. The King's orders as to the West Indian convoys were imparted to the merchants.

Mr. Samuel Allen attended to protest again against the uniting of New Hampshire with Massachusetts. He was informed that the decision lay with the King; and that he might make his application where he thought expedient.

March 4. Mr. Sansom's letter of 3rd inst. read (*No.* 774). Mr. Randolph being summoned explained certain difficulties therein, and a representation was thereupon drawn up and signed.

Memorial from the agents of the Leeward Islands read (*No.* 777). Order for it to be sent in to the Admiralty.

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Mr. Thomas Bulkley's petition read. Ordered in accordance with the prayer thereof that John Graves attend the Council to-morrow.

A paper of heads for incorporation of a company to work mines in New England received and referred to further consideration. A letter from Salem, dated 2 November, as to the state of New England was read.

Duplicate representation as to the three lieutenants of New York signed.

March 5. Mr. John Graves attended, when Mr. Bulkley was directed to draw up his questions to him anew. [*Board of Trade.* Journal, 9. *pp.* 11-16.]

March 2. Whitehall. **771.** William Popple to the Secretary of the Custom-House. The Council of Trade, on perusing your list of persons to be employed in the Admiralty Courts of the Colonies, observes that it does not extend to Jamaica, Barbados or the Leeward Islands, nor are the names of the Advocates included. They request therefore a complete list for all the Colonies, and in particular a list of Advocates for the Colonies to which the other officers have already been nominated. [*Board of Trade.* Plantations General, 34. *p.* 110.]

March 2. **772.** Minutes of Council of Virginia. Governor Nicholson and Mr. Blair having returned, the Governor appointed four Councillors to do their best to compose a quarrel which happened at the meeting of the College on the 27th February between Governor Nicholson and Colonel Daniel Parke. A report of the proceedings relating to the escape of John Coode, charged with blasphemy, from Maryland was read; and it was resolved that no more could be done in the matter. George Williamson, Surveyor, failed to appear to answer for surveying land on the Blackwater contrary to orders, and was summoned to attend on the 31st. Order for the Sheriffs to return an account of all ferries in their respective counties. [*Board of Trade.* Virginia, 53. *pp.* 53-54.]

March 2. **773.** Minutes of Council of Barbados. The negro who fled on board the French flag of truce was declared a free man. Orders for payments for subsistence of French prisoners and for five shillings a week allowance to sick seamen. Order for the distribution of gunners in Clarendon and Rochester forts. A new order for payment of the owners of the ship Frank Russell granted.

March 2. On a letter from the Captain of H.M.S. Newcastle that his ship could not be ready to sail till next week, it was ordered that notice be given that the fleet shall be continued here until the 11th, and shall then sail without further delay. Bill as to quartering of soldiers read and referred to a Committee. Bill for freedom of elections read a second time and referred to a Committee. Order for exchange of sixteen French prisoners, previous orders to the contrary notwithstanding. Orders for the disposition of the King's soldiers. Bill to prevent the escaping of white men, etc., read once and committed; bill enabling Quakers to make affirmation instead of oath, read three times and passed. [*Board of Trade.* Barbados, 65. *pp.* 196-197.]

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March 2. **774.** Secretary of Customs to William Popple. I have laid yours of 2nd before the Commissioners of Customs, who desire me to inform you that their presentment, referred to in the Council of Trade's letter of 24 February last, related only to the Plantations on the Continent of America and in the Bahama Islands, which were under the visitation of Mr. Randolph, from whom the Commissioners derived their information as to the fitness of the persons to be employed in the Admiralty Courts. The Commissioners will do their best to inform themselves of fit persons for the Courts in Jamaica and the other Islands. Meanwhile I send a list of persons selected by Mr. Randolph to be Attorneys-General and Advocates in the Plantations on the Continent and in the Bahamas. *Signed*, Jno. Sansom. 1 *p.* *Endorsed*, Recd. 3rd, Read, 4th March, 1696-7. *Enclosed*,

774. 1. Names of persons proposed to be Attorneys-General and Advocates in the Plantations. Virginia, Carolina, Maryland and the three lower counties: Edward Chilton. East and West Jersey, Connecticut and New York: James Graham. Massachusetts, New Hampshire and Rhode Island: Thomas Newton. Carolina: Jonathan Armory. Bermuda: Nicholas Trott, jun. Bahamas: John Leighton. It is recommended that the same person may be in all cases Attorney-General in all pleas of the Crown and Advocate in the Courts of Admiralty; and that the Governors of all Colonies under the King's immediate authority be empowered to fill any vacancies that may occur among the officers of the Admiralty Courts. Attorneys-General are made by warrant under Great Seal or Privy Seal; Advocates by warrant of the Board of Admiralty to the Judge of the Admiralty in England, who thereupon issues his deputation under the seal of his office. Fees should be allowed to the officers of Admiralty on a scale laid down by the Judge of Admiralty in England. 1½ *pp.* *Inscribed*, I received this paper of names from Mr. Randolph this 3 March, 1696. *Signed*, Rich. Savage. [*Board of Trade.* Plantations General, 4. *Nos.* 37, 37 I.; *and* 34. *pp.* 113-115.]

March 8. **775.** Minutes of Council of Massachusetts. On advice from Piscataqua of the capture of some shallops by Indians and French, it was advised to instruct the officers at Salem to send out one or two vessels from Marblehead to endeavour to retake them.

March 4. On a message from Salem saying that no sailing-shallops were in harbour but that a barque was at disposal for recapture of the vessels, it was advised that the said barque be despatched forthwith. Leave granted to Elisha Cooke and Thomas Walker to erect buildings in Boston. [*Board of Trade.* New England, 49. *pp.* 75-76.]

March 4. **776.** Minutes of Council of Virginia. Commodore Wager having deferred his sailing, it was ordered that the audit be held on 31 March, that all ships clear before the 27th inst., and that before the sailing of the convoy an embargo be laid on all vessels whatever, and after its departure upon all ships for Europe. Order for all

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bonds returned uncertificated to the Attorney-General to be put in suit by him at the next General Court. In default of orders as to taking the oaths to execute the Act for the Plantation Trade, the Governor by the Council's advice took the oath. Order for the Secretary to prepare answers to the letters from the King, and from the Lords of the Treasury. The warrant for confinement of Colonel Daniel Parke was read, and it was resolved that nothing more be done therein. [*Board of Trade.* Virginia, 53. *pp.* 55-56.]

March 4. **777.** Memorial of the Agents for the Leeward Islands to Council of Trade and Plantations. The Leeward Islands and the traders thither have suffered great losses owing to the delays and stoppings of the merchant-ships with necessaries and supplies, and to bring back the produce of the same. Last year, in particular, the ships were so long detained that they did not reach the Leeward Islands until the middle of July, and were part of them lost some few days after in a hurricane, while the rest, which sailed home in October under convoy of H.M.S. Hastings, met with such storms that most of them perished in the sea, together with their men, and were never heard of again. This makes us apprehensive for the outward-bound ships now at the Isle of Wight, if they be longer detained from want of their convoy. We beg therefore that the two ships of war ordered for the Leeward Islands fleet now lying at the Isle of Wight may be despatched forthwith, and not delayed longer in expectation of other ships. *Signed*, Bastian Bayer, Joseph Martyn, Rd. Cary. 1¼ *pp.* *Endorsed*, Recd. Read, 4 March, 1696-7. [*Board of Trade.* Leeward Islands, 5. *No.* 41; *and* 45. *pp.* 65-66.]

March 4. **778.** William Popple to the Secretaries of the Admiralty. On the King's orders of 2nd inst. that the convoys to Barbados, Jamaica and the Leeward Islands should sail with all possible speed we have received the enclosed paper (*preceding abstract*) from the Agents for the Leeward Islands. Pray lay it before the Admiralty and request them to return an answer of what may be communicated to the Agents for the satisfacton and guidance of the merchants. [*Board of Trade.* Leeward Islands, 45. *p.* 64.]

March 4. **779.** Memorandum amending the list of Attorneys-General and Advocates for the Admiralty Courts in North America and the Bahamas. Maryland, the three lower counties, Pennsylvania and West Jersey: Edward Chilton. New York, Connecticut and East Jersey: James Graham. Bahamas: Ellis Lightwood to be Judge, John Leighton to be Attorney-General and Advocate. *In the handwriting of Edward Randolph.* 1 *p.* *Inscribed*, Delivered by Mr. Randolph to the Board, 4 March, 1696-7. [*Board of Trade.* Plantations General, 4. *No.* 38; *and* 34. *p.* 116.]

March 4. Whitehall. **780.** Council of Trade and Plantations to the King. Submitting the names of the Judges, Registers, Marshals and Advocates for the Admiralty Courts of North America and the Bahamas for approval. *Signed*, J. Bridgewater, Ph. Meadows, Wm. Blathwayt, John Pollexfen, Abr. Hill. *Here follows the list*, the Judges, Registers and Marshals being those given in *No.* 751i. as

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amended in the preceding abstract, and the Advocates those given in the preceding abstract. [*Board of Trade.* Plantations General, 34. *pp.* 117-119.]

March 6. Admiralty Office. **781.** William Bridgeman to William Popple. In reply to yours of 4th, with a memorial from the Agents of the Leeward Islands, three men-of-war will be ready in a very few days to convoy the trade to the West Indies. If the Lords of the Treasury think that the service of the Leeward Islands is the most pressing, two of the ships will be ordered to proceed to and attend those Islands accordingly. *Signed,* Wm. Bridgeman, ½ *p. Endorsed,* Recd. Read, 8 March, 1696-7. [*Board of Trade.* Plantations General, 4. *No.* 39; *and* 34. *p.* 120.]

March 7. Dartmouth. **782.** The Mayor of Dartmouth to William Popple. The merchants (who have ships ready to sail to Newfoundland) desire to acquaint you that unless the convoy for Newfoundland departs within a fortnight their designs will be lost, to their detriment, the usual time for their sailing being fully come. Pray inform the Council of Trade. *Signed,* Thomas Floud, Mayor. ½ *p. Endorsed,* Recd. Read, 11 March, 1696-7. [*Board of Trade.* Newfoundland, 3. *No.* 52.]

March 8. **783.** Petition of Jeffrey Wellowton [*sic, should be* Yellowton] to Council of Trade and Plantations. I propose to raise at my own charge two hundred and fifty men of divers professions, as carpenters, bricklayers, smiths, etc., for Jamaica. Since these men will be very serviceable and the cost great, I beg that they may be transported and maintained at the King's charge until their arrival in Jamaica, and that such encouragement and consideration as you may think fit may be allowed to me. ½ *p. Endorsed,* Recd. Read, 8 March, 1696-7. *Attached,*

783. 1. Opinion of the Jamaica Agents on the above petition. These men would be most valuable. Handicraftsmen are so scarce that we give carpenters, bricklayers and smiths from five to ten shillings a day and their victuals, and caulkers and ship's-carpenters ten and fifteen shillings a day. They will be valuable too as farmers, though all the work must be performed by negroes, and every planter will be glad to employ them as overseers and in the nature of guards to their negroes. *Signed,* Gilbert Heathcote, Bartho. Gracedieu. *Scrap.* [*Board of Trade.* Jamaica, 8. *No.* 48, 48i.; *and* 56. *p.* 79.]

[March 8.] **784.** Petition of Merchants of Bideford trading to Newfoundland to Council of Trade and Plantations. Having several ships bound to Newfoundland on a fishing voyage, we beg that a convoy may be ordered for them at Milford. The season being far advanced, the ships must sail early in order to have time to build boats and stages, which have been destroyed by the French. *Signed,* John Davie, Tho. Power, John Buck, G. Buck, *and by fourteen others.* ½ *p. Endorsed,* Delivered by Mr. Blathwayt, 8 March, 1696-7. [*Board of Trade.* Newfoundland, 3. *No.* 53.]

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March 8. Whitehall. **785.** J. Tucker to William Popple. Mr. Secretary Trumbull orders me to acquaint you that the King has ordered that half of the ships and soldiers for Newfoundland shall be despatched thither immediately, and the rest follow soon after. Your Board will therefore prepare instructions for the commanders of the squadron and forces to be presented to the King with all expedition. *Signed*, J. Tucker. ½ *p. Endorsed*, Recd. Read, 9 March, 1696-7. [*Board of Trade.* Newfoundland, 8. *No.* 54; *and* 25. *p.* 54.]

March 8. Whitehall. **786.** Council of Trade and Plantations to Secretary Trumbull. The merchants trading to Newfoundland have information that the French are certainly fitting out four capital ships of war, two frigates, a flyboat carrying materials for forts, etc., and several merchantmen for Newfoundland. This was communicated to the Admiralty. The merchants have now shewn us another letter of intelligence of 5th inst., saying that the French have six men-of-war, and a flyboat with materials, which will be ready to sail in fourteen days. *Signed*, J. Bridgewater, Ph. Meadows, Wm. Blathwayt, Jno. Pollexfen, Abr. Hill. [*Board of Trade.* Newfoundland, 25. *p.* 92.]

March 8. **787.** Journal of Council of Trade and Plantations. Mr. Bridgeman's letter of 6th inst. read (*No.* 781). Ordered therefore that the merchants or agents of the West Indian Islands attend on Wednesday next.

Mr. Merret acquainted the Council that the Bonadventure was ready for the convoy to Newfoundland, and that the Crown would be ready as soon as victualled. He also produced a letter of information as to the French preparations, the contents of which were at once communicated to Sir William Trumbull. A petition from the merchants of Bideford was presented (*No.* 784), and order was given to the Secretary to write a reply (*No.* 788).

Mr. Overton attended to report consideration of Mr. Livingston's papers, and was ordered to attend this day sennight.

Mr. Wellowton (? Yellowton) presented a petition (*No.* 783) but on discussion was willing to defer his proposal till next year. He was meanwhile referred to the Jamaica Agents.

The gentlemen interested in the company for working copper-mines in New England attended, when their proposals were returned to them for amendment.

March 9. Order for the papers on the dispute between the Hudson's Bay Company and Mons. de la Forest to be recovered from the Privy Council.

Mr. Tucker's letter of 8th inst. as to the expedition to Newfoundland.

Upon suggestion that some of the public newspapers sometimes contain useful information, it was ordered that one of each sort be taken for the use of the Council.

March 10. Mr. Bulkley and Mr. Graves attended and gave in papers, which were read and laid by for further consideration.

Mr. Cary alone of the West India merchants attended. The Council therefore directed the Secretary to write immediately to Mr. Bridgeman (*No.* 791). Mr. Heathcote attending late was directed to come again to-morrow.

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March 11. A letter from the Mayor of Dartmouth as to Newfoundland was read (*No.* 782). Captain Walsh, formerly in the Hudson's Bay Company's service, applied for employment in the Newfoundland expedition and was referred to Colonel Gibsone.

The Agents for Barbados and the Leeward Islands attended and wished to alter the arrangements as to the convoys; but the Council, not thinking fit to recede from their former representation, communicated to them Mr. Bridgeman's letter of 6th inst., with the answer to it of 10th inst. and left them to petition to the King.

The gentlemen interested in mines in New England attended and gave in the draft of a clause to be inserted in their charter, which was reserved for further consideration.

March 12. Mr. Burchett's letter of 11th inst. read. Mr. Blathwayt informed the Council that the King had referred the petition of the West India merchants concerning convoys to the Admiralty.

Mr. Blathwayt also announced that the opposition to the private Act of Jamaica as to Sir Francis Watson's estate had been withdrawn. The Lords then ordered the Act to be looked out.

March 13. The private Act of Jamaica was received and a representation ordered to be prepared, recommending it for confirmation.

Letter from the Merchants of Poole of 10th inst. read (*No.* 790); but the answer to this and to the letter from Dartmouth of 7th inst. was deferred until the King's pleasure as to the sailing of the merchant-ships should be known. Colonel Gibsone attended and his instructions were read to him. The Council resolved to write to the Governor of Massachusetts to give him credit, and to move that the Treasury be approached on this matter.

Mr. Edward Richier attended, and produced two witnesses to speak as to the harsh treatment of his brother by Governor Goddard. He was directed to take the affidavits of his witnesses before a Master-in-Chancery and bring them with all his other papers to the Secretary.

Mr. Nicoll, Agent for New York, attended and was directed to bring up an estimate of the probable expense on account of the two Indians lately brought up to town. [*Board of Trade.* Journal, 10. *pp.* 17-27.]

March 9. Whitehall. **788.** William Popple to Richard Usticke. A petition from the Bideford merchants has been laid before the Council by Mr. Blathwayt. I have to inform you that an expedition is speedily to sail to recover Newfoundland, and that convoys are intended for the fishing ships bound thither. Do the merchants desire that the convoy for their fishing ships should be at Milford, and do they yet desire one for their salt-ships? [*Board of Trade.* Newfoundland, 25. *p.* 93.]

March 9. **789.** Minutes of Council of Barbados. Order for hire of a sloop to cruise about Martinique roads, that the two men-of-war cruise to report as to the truth of the intelligence that a French fleet has arrived at Martinique, and that the fleet be delayed until their return. Order for fitting out an armed sloop, for providing the Virgin (prize) with rum, sugar and lime-juice, and for payment for the entertainment of a French officer.

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March 10. An account for disbursements on the fortifications was referred to two members for examination. Act for the quartering of soldiers read as amended, and the amendments approved. [*Board of Trade.* Barbados, 65. *pp.* 197-198.]

March 10. Poole. **790.** The Mayor and Merchants of Poole to Council of Trade and Plantations. We must remind you that the time for sending our fishing ships to Newfoundland is now, and must beg you to represent that not only will the land be in danger of being wholly lost unless the forces and men-of-war speedily depart, but that the overthrow of the fishery will be endangered if the convoys be delayed, as greater time must be taken to build boats and stages than formerly. *Signed*, Tho. Hyde, mayor, *and by fifteen others.* 1 *p. Endorsed*, Recd. Read, 13 March, 1696-7. [*Board of Trade.* Newfoundland, 3. *No.* 55.]

March 10. Whitehall. **791.** William Popple to William Bridgeman. The Council of Trade has considered your letter of the 6th inst., to which I am to reply that by an Order in Council of 22 October (upon the representation of the Council of Trade) the King ordered that seven ships of war—viz., two for the Leeward Islands, three for Barbados and two for Jamaica—should convoy the West India trade and should all keep company as far as their way lies together, for their better security. This was accordingly intimated to the merchants, who depending thereon have had many of their ships ready to sail for over two months past, and suffer great prejudice through the delay, which the Council hopes may be removed by a speedy despatch of the other convoys, according to the King's former order. [*Board of Trade.* Plantations General, 34. *pp.* 120-121.]

March 11. Admiralty Office. **792.** J. Burchett to William Popple. In answer to yours of yesterday to Mr. Bridgeman, I am to inform you that pursuant to the King's orders given some time since, seven men-of-war were prepared, two for the Leeward Islands, three for Barbados, and two for Jamaica. But the King afterwards ordered that the squadron, which is now gone to the West Indies, should consist in part of the ships so provided, which obliged the Admiralty to find others in their room. These are now all ready, except their provisions, and if the merchants are willing that their trade should stay until they be provided therewith, all possible despatch will be made, and then the convoys may proceed as first designed; but the Admiralty thought it might have been for the service, by victualling three ships first, to proceed with the trade that might be ready to sail with them (*sic*). *Signed*, J. Burchett. 1 *p. Endorsed*, Recd. Read, 12 March, 1696-7. [*Board of Trade.* Plantations General, 4. *No.* 40; *and* 34. *pp.* 121-122.]

[Mar. 11.] **793.** Heads of a charter for a Company for working copper mines in New England. 1½ *pp. Endorsed*, Presented by Colonel Ledgett in answer to the heads ordered on 15 February. Recd. Read, 11 March, 1696-7. [*Board of Trade.* New England, 8. *No.* 74; *and* 36. *pp.* 141-143.]

March 11. Kensington. **794.** Order of the King in Council. That the representation of the Council of Trade as to Lieutenants Shanke, Sydenham

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and Wright be referred to the Duke of Schomberg and the General Officers sitting at the Horse Guards, to examine the petitioners' complaints, send to New York for sworn information and proceed therein as they think best for the King's service. *Copy.* ½ *p. Endorsed,* Recd. Read, 9 June, 1697. [*Board of Trade.* New York, 7. *No.* 14; *and* 52. *p.* 145.]

March 12. Council Office. **795.** John Povey to William Popple. I enclose the Act for vesting Sir Francis Watson's estate in Major Lowe. It was affixed to other Acts of Jamaica, lying in the Council Office, which are under the public seal of the island. *Signed,* John Povey. ¼ *p. Endorsed,* Recd. Read, 13 March, 1696-7. [*Board of Trade.* Jamaica, 8. *No.* 49; *and* 56. *p.* 80.]

March 12. **796.** The Merchants of Barnstaple to William Popple. Being concerned in several ships intended for Newfoundland, we desire your advice as to when the ships and forces mentioned in your letter of 30 January will be ready, how many they will be, and how many there are of them. *Four signatures.* ½ *p. Endorsed,* Recd. Read, 15 March, 1696-7. [*Board of Trade.* Newfoundland, 3. *No.* 56.]

March 12. Bideford. **797.** Richard Usticke to William Popple. I have communicated yours of 9th inst. to the merchants here trading to Newfoundland. They beg that the convoy for their fishing ships may be at Milford by the 25th inst., and that the said man-of-war may be directed to stop in the river of Waterford for forty-eight hours to ship bread and provisions which are there awaiting them, bread being not to be purchased here at any rate. The Cadiz and Oporto vessels, lately arrived, have imported sufficient salt to supply Newfoundland for the year, so that the convoy to Portugal is thereby saved. *Signed,* Richd. Usticke. 1 *p. Endorsed,* Recd. Read, 15 March, 1696-7. [*Board of Trade.* Newfoundland, 3. *No.* 57.]

March 13. Port Annapolis, Maryland. **798.** Governor Nicholson to Council of Trade and Plantations. I forward a petition from William Dent, whom I have found to be one of the best lawyers in this province, have retained in many cases and with the advice of the Council have appointed Solicitor-General. He has been very faithful and diligent, for the Attorney-General, being both Collector and Receiver of Patuxent District, cannot always attend to law affairs. I ask that £50 may be paid to him out of fines and forfeitures, and £30 or £40 a year from the time when an order to that effect is sent here. *Signed,* Fr. Nicholson. ½ *p. Endorsed,* Recd. Read, 6 Aug., 1697. *Enclosed,*

798. 1. Petition of William Dent to Governor Nicholson. I have helped the Attorney-General from time to time since November, 1694, have been engaged in all the Crown cases, and have refused to accept fees for them except when employed by you. This has cost me over 10,000 lbs. of tobacco a year of private practice, in return for which I have received no salary. I beg that some kind of salary may be settled on me. *Inscribed,* Copy of a Minute of the Council of Maryland, 12 December, 1696, requesting the Governor to recommend petitioner's case to the King. 1¼ *pp. Endorsed as the covering letter.*

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Duplicate of the above letter and enclosure, the letter endorsed, Recd. 15th. Read, 16th November, 1698. [*Board of Trade.* Maryland, 3. *Nos.* 12, 12 I., 13, 13 I.; *and* 9. *pp.* 68-69.]

March 14. Darmouth. **799**. John Whitrow to William Popple. Pray inform me when the convoys for Newfoundland will sail, for we are in great pain about it, since the usual time for ships to sail on fishing voyages is the 1st of March at latest. We beg that the convoys may be dispatched as soon as possible, otherwise we must, to our own great loss, abandon our voyages. *Signed*, John Whitrow, jun. ¾ *p. Endorsed*, Recd. Read, 18 March, 1696-7. [*Board of Trade.* Newfoundland, 3. *No.* 58.]

March 15. **800**. Journal of Council of Trade and Plantations. Order for the Secretary to ascertain when the men-of-war for the convoys to the West Indies will be ready.

Draft representation concerning the private Act as to Sir Francis Watson's estate agreed to. Mr. Yellowton again made application for encouragement to his scheme for transporting men to Jamaica, and was told that if the Jamaica Agents would support it, his application would be more maturely considered.

Jacob Tiley, who said that he had made fourteen voyages to Newfoundland, applied for employment in the projected expedition, and was referred to the Admiralty. Mr. Blathwayt produced an extract of a letter of this day's date to him from Mr. Burchett. It was thought fit to defer any answer until to-morrow. He also announced that the King had ordered H.M.S. Crown to sail to Milford to convoy the fishing ships. Letters of 12th inst. from Barnstaple and Bideford to the Secretary read (*Nos.* 796, 797), and order given to him to answer them (*No.* 807). Order for a letter to be drawn up to the Governor of Massachusetts to give assistance to Colonel Gibsone's expedition; the King having given orders to the Treasury about procuring him credit.

March 16. Order for copy of the representation as to the union of New York, New England, etc. to be furnished to Mr. Vernon, for drawing up a commission to the Earl of Bellomont.

Mr. Merret produced a petition from Poole (*No.* 790) and gave his opinion as to the rendezvous that should be appointed for the merchant-ships. The Secretary was directed to write to the out-ports accordingly, and also to the Secretaries of the Admiralty (*Nos.* 806, 807).

March 17. The Council ordered a letter to be drawn to Sir William Trumbull respecting a project to detach ships to lie in wait for the French squadron, bound to Canada, at the mouth of the great river.

The Duke of Shrewsbury's letter read, ordering Lord Bellomont's commission and instructions to be prepared (*No.* 804).

Mr. Burchett's letter of yesterday read (*No.* 808), and communicated to the Agents of Jamaica and the Leeward Islands, the latter of whom was directed to attend again to-morrow.

Mr. Nicoll presented his estimate for the expenses of the two Indians lately brought to town. A letter ordered, directing that £50 be paid to him on account.

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Mr. Bulkley presented another petition against Mr. Graves. The Secretary was directed to write again to Mr. Thornburgh and also to the Secretary of Customs on the matter.

Colonel Gibsone attending was informed of the provision made for giving him credit, and, reporting that the store of medicaments and hospital-provisions was very short, was directed to apply to the King's physicians. Draft letter from the King to the Governor of Massachusetts, to give assistance to Colonel Gibsone, approved and sent to Mr. Secretary Trumbull. Petition from the town of Plymouth read (*No.* 805), also petition from the town of Poole, of which latter copy was ordered to be sent to the Admiralty.

Representation as to the Act concerning Sir Francis Watson's estate signed.

March 18. Letter from John Whitrow of 14th inst. read (*No.* 799). It was judged to have been already sufficiently answered.

March 19. Mr. Burchett's letter of yesterday read (*No.* 819). Order for a letter to the Mayor of Poole that a cruiser should be sent to that coast as soon as possible. Colonel Gibsone, again calling attention to the defect in the orders for medicaments for the Newfoundland expedition, was again requested to draw up an estimate of what he desired, which he promised to do.

Mr. Gilbert Heathcote's letter of 18th inst. read (*No.* 821), and orders given to the Secretary for his reply (*No.* 828). The Council obtained a copy of the Order in Council whereby the King granted £500 for transportation of men to Jamaica.

Mr. Tucker's letter of 17th read (*No.* 812). Ordered that Mr. Penn be summoned to attend on Monday next. Mr. Randolph's letter of 17th also read (*No.* 813), and order given for the opinion of the Commissioners of Customs to be obtained thereupon.

Mr. Cary attended to ask as to the convoy to the Leeward Islands, and was informed of the King's orders thereupon, whereupon he declared that the merchants were desirous rather to part in the manner appointed than to stay longer. Order for the despatches for the West Indies to be sent to Commissioner Greenhill, with an intimation that he is ordered to pay the postage of this and other packets.

Sir Henry Ashurst presented a paper asking for consideration of the memorials of the State of Massachusetts, which the Council promised to give as soon as possible. Letter to Mr. Secretary Trumbull as to the Canada fleet signed and sent (*No.* 830). [*Board of Trade.* Journal, 10. *pp.* 27-40.]

March 15. Whitehall. **801.** William Popple to the Secretary of the Admiralty. The Council of Trade supposing that some resolution may be taken for the despatch of the convoys for the West Indian trade, desire to be informed what ships are appointed for that service, and when and where they will be ready, that they may accordingly order their dispatches to be sent. [*Board of Trade.* Plantations General, 34. *p.* 122.]

March 15. Admiralty Office. **802.** Extract of a letter from Josiah Burchett to William Blathwayt. The King last night directed that all merchant ships bound for Newfoundland should proceed with the men-of-war that first go there. Please inform the Admiralty at which of the

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Western ports the merchant-ships are, that directions may be given to the Commodore either to call for them there, or at their intended place of rendezvous. ½ *p. Endorsed*, Recd. Read, 15 March. 1696-7. [*Board of Trade.* Newfoundland, 3. *No.* 59; *and* 25, *p.* 95.]

March 15. Whitehall. **803.** Council of Trade and Plantations to Governor Codrington. Several merchants here trading to the Island of Nevis have received information that the Statute of Limitation is likely to be pleaded in the Courts there, and have represented the injustice of this in a memorial, of which copy is enclosed (*No.* 735). Their desire appearing to us very reasonable, we recommend it to your care to prevent the passing of any such Act, and if it be or have been under deliberation, to report to us your reasons for or against it. *Signed*, J. Bridgewater, Ph. Meadows, Wm. Blathwayt, John Pollexfen, Abr. Hill. [*Board of Trade.* Leeward Islands, 45. *pp.* 66-67.]

March 16. Whitehall. **804.** Duke of Shrewsbury to Council of Trade and Plantations. The King has appointed the Earl of Bellomont to be Governor of New York, Massachusetts and New Hampshire, and to be Captain-General, during the war, of all the forces both there and in Connecticut, Rhode Island and the Jerseys. You will prepare his commissions and instructions. *Signed*, Shrewsbury. ½ *p. Endorsed*, Recd. Read, 17 March, 1696-7. [*Board of Trade.* New England, 8. *No.* 75; *and* 36. *p.* 143.]

March 16. **805.** Petition of the Mayor and principal merchants of Plymouth to Council of Trade and Plantations. The season for sending ships on fishing voyages to Newfoundland is already advanced, and as the enemy destroyed all the stages, boats and warehouses last year, new ones must be built before the fishermen can go to sea again, which will occupy a considerable time after their arrival. If the enemy arrive there before the English ships, the difficulty and danger of recovering the lost harbours will be extraordinary. We beg therefore for the hastening of the forces designed to Newfoundland. *Signed*, John Munyon, mayor, *and by forty more. Large sheet. Endorsed*, Recd. 16, Read, 17 March, 1696-7. [*Board of Trade.* Newfoundland, 3. *No.* 60.]

March 16. Whitehall. **806.** William Popple to the Secretaries of the Admiralty. The Council of Trade has given orders for the merchantmen from Poole and Weymouth to join the Newfoundland squadron at Spithead, and those from Exeter, Topsham and Dartmouth to await the squadron at Plymouth; but the Council think that a frigate should be sent to escort them thither, and that in this manner Plymouth shall be the rendezvous for the squadron and the merchant-ships that are to sail with it. The Bideford and Barnstaple merchants press earnestly for the despatch of the convoy appointed for the fishing ships from the Bristol Channel, that if possible she shall be at Milford by the 25th instant, and that the Captain may have orders to wait forty-eight hours at Waterford while they take in provisions. Please lay this before the Admiralty. [*Board of Trade.* Newfoundland, 25. *pp.* 96-97.]

March 16. Whitehall. **807.** William Popple to Richard Usticke and the Mayors of Bristol, Exeter, Plymouth, Dartmouth, Weymouth, Barnstaple and

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Poole. The Newfoundland expedition will very shortly be ready to sail. H.M.S. Crown is ordered from Plymouth to Milford to convoy fishing ships direct to Newfoundland from the Bristol Channel. The Council will move that she be detained at Waterford, as desired. The Council desires to know how provisions now rule at Waterford and whether any of these ships (if there were occasion) can take in provisions, and in what quantities, for the expedition. [*Board of Trade.* Newfoundland, 25. *pp.* 97-98.]

March 16. Admiralty Office. **808.** J. Burchett to William Popple. With reference to yours of 15th I have already given you an answer in mine of the 11th. The three ships proposed to go first, as being the most ready, are the Seaford which is in the Downs, and the Chatham and Sheerness, which are ordered from the Nore to the Downs. The Lords of the Admiralty are still of opinion that the three said ships should first proceed, if the merchants cannot be prevailed with to stay till the others are victualled, which at this time is very uncertain, considering the scarcity of money to purchase provisions, they having reported the same to the King in reply to his Order in Council on the petitions of the merchants of Barbados and the Leeward Islands, wherein they prayed for separate convoy for their ships bound thither. All possible despatch will be used in getting the other four vessels ready to proceed. *Signed*, J. Burchett. 1¼ *pp.* [*Board of Trade.* Plantations General, 4. *No.* 41; *and* 34. *pp.* 123-124.]

March 16. **809.** Minutes of Council of Maryland. Order for no ships to be cleared till they have given security to call upon the Commodore in Virginia. Proclamation for a day of thanksgiving, and for legal proceedings against certain persons to be stopped, in honour of the King's happy return from Flanders. The Governor took the oath prescribed by the Act for preventing frauds. Orders for the naval officers to give security according to the said Act. [*Board of Trade.* Maryland, 13. *pp.* 241-245.]

March 17. **810.** Estimate of the cost of the accommodation and treatment of two Indian prisoners and their interpreter (*see No.* 787).

Suit of clothes for the Captain about	£9	0	0
,, ,, for the other ,,	7	0	0
,, ,, for the interpreter ,,	5	0	0
Linen for shirts, cravats, etc. ,,	9	0	0
Three hats ,,	1	5	0
Two swords and belts ,,	1	5	0
Stockings, two pair each ,,	1	10	0
Shoes, ,, ,, ,,	1	11	0
Two periwigs ,,	3	0	0
Lodging, diet, etc., at about £3 per week for six weeks	30	0	0
Three passages	24	0	0
Sea-beds and other necessaries	12	0	0
Incidents	10	0	0
Total	£114	11	0

1 *p. Endorsed*, 17 March, 1696-7. [*Board of Trade.* New York, 7. *No.* 15; *and* 52. *pp.* 89-90; *and* Plantations General, 4. *p.* 125.]

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March 17. **811.** Memoranda of the receipt on 17 March of the Order in Council of 25 February, for placing the Indian prisoners under the charge of the New York Agents; and of William Nicolls's estimate of the cost of their accommodation. *Each* ½ *p.* [*Board of Trade.* Plantations General, 4. *Nos.* 42, 43.]

March 17. Whitehall. **812.** J. Tucker to William Popple. Mr. Secretary Trumbull having laid before the King the Council of Trade's representation of 4 March, with the list of officers chosen from the Admiralty Courts, Mr. Penn desired that the same persons that serve Pennsylvania should serve also the three lower counties, being under the same Government and upon the same river and bay. The King, thinking this reasonable, desired the representation to be returned to you, that the Council of Trade may hear and consider Mr. Penn's reasons. *Signed,* J. Tucker. ¾ *p. Inscribed,* the Representation was returned to Mr. Sec. Trumbull on 25 March. *Endorsed,* Recd. Read, 19 March, 1696-7. [*Board of Trade.* Plantations General, 4. *No.* 44; *and* 34. *pp.* 126-127.]

March 17. **813.** Edward Randolph to William Popple. In my list of persons to be officers of the Admiralty Courts in America, which was presented to the Council of Trade on 18 July last, I mentioned Thomas Newton to be Attorney-General of Massachusetts. In my last paper I also recommended him to be Advocate also, not knowing then any person better qualified. But having since met Mr. Benjamin Lynde, of the Inner Temple, a barrister of good estate, born in the country and very able and willing to serve the King in that station, I recommend him as preferable to Mr. Newton, who is no barrister and not so capable to discharge the trust. *Signed,* E. Randolph. 1 *p. Endorsed,* Recd. Read, 19 March, 1696-7. [*Board of Trade.* Plantations General, 4. *No.* 45; *and* 34. *pp.* 127-128.]

March 17. Whitehall. **814.** William Popple to John Sansom. Forwarding copy of Thomas Bulkley's petition (*see No.* 681) for the Commissioners of Customs to enquire into the matters therein concerning them. [*Board of Trade.* Proprieties, 25. *pp.* 24-25.]

March 17. Whitehall. **815.** Council of Trade and Plantations to Secretary Trumbull. Forwarding a draft letter to the Governor of New England relating to the expedition to Newfoundland for the King's approval, and pressing for its early dispatch. *Signed,* J. Bridgewater, Ph. Meadows, Wm. Blathwayt, Jno. Pollexfen, Abr. Hill. [*Board of Trade.* New England, 36. *p.* 144.]

March 17. Whitehall. **816.** Council of Trade and Plantations to the King. We have considered an Act of Jamaica to invest Henry Lowe with the estate of Sir Francis Watson, deceased, and having ascertained that neither the Attorney-General nor Sir Francis Watson's creditors object to it, we recommend that it be confirmed. *Signed,* J. Bridgewater, Ph. Meadows, Wm. Blathwayt, John Pollexfen, Abr. Hill. [*Board of Trade.* Jamaica, 56. *pp.* 80-81.]

March 17. **817.** Minutes of Council of War at Jamaica. In view of the departure of the enemy to leeward it was ordered that the soldiers

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may disperse to their homes, but be ready none the less to march immediately upon the first alarm. [*Board of Trade.* Jamaica, 79. *p.* 59.]

March 17. **818.** Journal of General Assembly of Massachusetts. Adjourned till to-morrow, few Representatives being present.

March 18. Again adjourned for the same reason.

March 19. The Lieutenant-Governor recommended to the Representatives the state of the Treasury and the necessity for providing for defence of the province both by sea and land. The Treasurer gave in a report shewing the Province to be near £7,000 in debt, which was sent down to the Representatives. Bill for incorporation of Harvard College read and debated.

March 20. A vote received from the Representatives proposing a security to any who should advance money to the Treasury. [*Board of Trade.* New England, 48. *pp.* 123-125.]

March 18. Admiralty Office. **819.** J. Burchett to William Popple. Yours of the 16th has been laid before the Admiralty, and orders will be given about convoying the ships to Newfoundland accordingly. Memorandum of above letter. Recd. Read, 19 March. [*Board of Trade.* Newfoundland, 25. *p.* 98; *and* 3. *No.* 61.]

March 18. **820.** Address of the Lords Spiritual and Temporal in Parliament to the King. Calling attention to the past abuses and frauds in the Plantation Trade, owing in part to the connivance of the Governors of the Proprietary Colonies, and suggesting a special order to bring them to a better sense of their duty, that the Proprietors be required to give security for due execution of the Acts of Trade and Navigation by their Deputy-Governors, and that the Governors of Rhode Island and Connecticut shall give the like security. *Copy. Signed,* Math. Johnson, Cler. Parliamentor. 1½ *pp. Endorsed,* Recd. Read, 26 March, 1697. [*Board of Trade.* Plantations General, 4. *No.* 46; *and* 34. *pp.* 135-137.]

March 18. St. Swithen's Lane. **821.** Gilbert Heathcote to William Popple. Mr. Yellowton tells me he has eighty men ready and willing to go to Jamaica who would be of great service to the island. We could get sixty or seventy of them transported in the merchantmen bound to Jamaica if we could have money to pay the masters of the ships £8 a head to buy them provisions, and then the man-of-war that is going thither might be ordered to carry twenty men. The difficulty is how to get this money for the masters. I as a particular merchant cannot raise it, and when I speak to the rest they talk of their losses. I see no hope that this business can be done unless by the Government. *Signed,* Gilbert Heathcote. ½ *p. Endorsed,* Recd. Read, 19 March, 1697. [*Board of Trade.* Jamaica, 8. *No.* 50; *and* 56. *p.* 81.]

March 18. **822.** Council of Trade and Plantations to the Commissioners for Sick and Wounded. We forward an estimate prepared by the New York Agents of the expense of entertaining two Indians (*see No.* 810). We think it sufficient that you pay them for the present £50 in part of what may be requisite for that service. *Signed,* J. Bridgewater, Jno. Pollexfen, Abr. Hill. [*Board of Trade.* New York, 52. *pp.* 90-91; *and* Plantations General, 34. *p.* 126.]

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March 18. Kensington. **823.** The King to Lieutenant-Governor Stoughton. We are sending a squadron of ships with land forces under command of Colonel John Gibsone for the recovery of Newfoundland and the re-establishment of our trade and fishery. Seeing how greatly New England is concerned therein, we expect and think fit that you give all possible assistance to the undertaking, sending such ships and land forces as may be spared to join the expedition between Cape Race and Bonavista, and particularly supplying victuals and provisions, for which we have taken care that due payment shall be made. In general do everything that may conduce to the success of the expedition or may be desired by the Commander-in-Chief. *Countersigned*, Wm. Trumbull. [*Board of Trade.* New England, 36. *pp.* 148-149; *and* Newfoundland, 25. *pp.* 100-101.]

March 18. Jamaica. **824.** Extract from a letter of Sir William Beeston to William Blathwayt. On the 11th inst. the sloop that I had ordered abroad to watch Mons. Pointis's motions saw his fleet sail out of Leogane and kept not far from them. On Friday they were all under Cape Tiburon, twenty-six sail, when the sloop left them, being chased by three of them. She arrived here on the 13th, and I expected the fleet to come in sight every moment, but on the afternoon of the 14th, two men came down from the hills of St. Andrews and reported that they had seen them on the evening of the 13th far off at sea, to southward of Port Royal, and had counted nineteen sail. This put an end to my apprehensions for them; I concluded them to be gone to Porto Bello, where they will find the galleons and the plate aboard, unless it has been landed on my advice of this fleet. The Spaniards will have a hard task to secure them, for the place is so weak and the ships very ill manned. I found by the sloop which I sent to watch the fleet, that there was a great dispute between Mons. Pointis and Mons. Ducasse, insomuch that Pointis told Ducasse that if he were to command in this design, he would give the King of France such another account as he gave of his (Ducasse's) expedition against Jamaica. The privateers also mutinied and would not go with them because they would not let them have a commander of their own, saying they would otherwise be served as they were at Jamaica—they to fight and the great only to take away the money from them. On this there was a quarrel and some men killed, which caused about seven hundred of the privateers to desert and go to the Isle des Vaches. Although the French have not fallen upon us yet, the collecting and maintaining of the people from the out-parts, and the providing fire-ships and other great charges to defend the place will undo us quite in a short time; for besides our inability to suffer such charges, the calling of people so far from their habitations, the keeping them from their employments, and in the meantime leaving their wives and children to the insults of the negroes without any to guard them, makes them very weary of the place. The mean people, who are the strength, get away, as they find opportunity, to the Northern plantations, where they hope to live more quietly; and the better sort are discouraged, for, no supply of goods coming from England, all goods are excessive dear. Yet the laws are so hard on us that we must not be supplied by the Dutch our neighbours, where we could have what we wanted at easy rates. No ships come to

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buy or carry away our produce, yet we must not sell it to strangers nor send it anywhere but to England—thus people complain, and this makes them think themselves to be but a sort of slaves, and all that they labour and hazard for to be but precarious. Unless some speedy measures be taken, this place must come to nothing. I have often said so before, but doubt I shall not be believed until too late. I hope you will impart this to the Council of Trade, for if I write to them I can say no more, nor should I have written so often as I have on this subject, did I not think it my duty as the King's Governor. I cannot but admire greatly that the King of Spain (who is so jealous of his mistress, the West Indies, that he would fain believe hardly another nation has seen her) should suffer her to be ruffled by the French, fleet after fleet, and yet take no more care for her preservation. If the French now get the galleons and plate, it will be a blow that all Europe will feel, and which I fear will encourage the war on the one side and discourage it on the other. We have no sign nor news of the fleet which we were told should sail at the end of December. All our despatches are so delayed that they come too late; for when the steed is stolen, it is of little purpose to shut the stable door. *Copy.* 2 *pp. Endorsed,* Recd. Read, 7 June, 1697. [*Board of Trade.* Jamaica, 8. *No.* 47; *and* 56. *pp.* 102-105.]

March 19. **825.** Minutes of Council of Barbados. The two men-of-war came in with intelligence that they had seen and been chased by four vessels, one of about seventy and two of about twenty guns, but that no colours were shewn. The sloop from Martinique reported sixteen sail, of which one pennant, at Fort St. Pierre. [*Board of Trade.* Barbados, 65. *p.* 198.]

March 19. Bideford. **826.** Richard Usticke to Council of Trade and Plantations. In answer to Mr. Popple's letter of 16th inst. I find from the merchants that the price of provisions at Waterford is as follows:—beef, 17*s.* *per* barrel (quarter) from 1*cwt.* 3*qu.* 14*lb.* to 2*cwt.* *per* barrel; pork, about 10*s.* *per cwt.* fresh, salt and cask plentiful; butter about 24*s.* *per cwt.*; good cheese from 14*s.* to 16*s.* *per cwt.*; candles 4*s.* *per* dozen; no bread to be had on any terms, being taken up for merchant-ships. *Signed,* Richd. Usticke. *P.S.*—Our ships may take on public freight from 40 to 50 barrels of beef and no more, for they all carry cargoes of salt. ¾ *p. Endorsed,* Recd. Read, 22 March, 1696-7. [*Board of Trade.* Newfoundland, 6. *No.* 62.]

March 19. **827.** Sir Henry Ashurst to Council of Trade and Plantations. Asking that two memorials sent in by him as Agent for Massachusetts may be taken into consideration, now that a Governor has been appointed to go thither. *Signed,* Hen. Ashurst. 1 *p. Endorsed,* Recd. Read, 19 March, 1696-7. [*Board of Trade.* New England, 8. *No.* 76.]

March 19. Whitehall. **828.** William Popple to Gilbert Heathcote. In reply to your letter of yesterday as to the transportation of tradesmen to Jamaica, the Council of Trade recommend, as the most expeditious course, that an order be given upon the Commissary at Jamaica (who has money remitted from hence in his hands) to pay the cost of

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their passage on their arrival or to meet such bills as may be drawn for the advance of money here. If you or any other merchant will advance the money on these terms the business may be done, in which case the Council recommends it to your care. You mention the price of passages at £8 a head. £6 has been the usual rate on like occasions, but the Council thinks that £7 may be allowed in this case. [*Board of Trade.* Jamaica, 56. *p.* 82.]

March 19. Whitehall. **829.** William Popple to the Secretary of the Custom House. Mr. Randolph has proposed that Mr. Benjamin Lynde be substituted for Mr. Thomas Newton as Attorney-General and Advocate for Massachusetts and New Hampshire. The Council of Trade desire the opinion of the Commissioners of Customs thereupon. [*Board of Trade.* Plantations General, 34. *p.* 128.]

March 19. Whitehall. **830.** Council of Trade and Plantations to Mr. Secretary Trumbull. Mr. Nelson, who has been long conversant in the Northern parts of America, suggests to us that it may not be difficult to intercept at the mouth of the river of Canada the fleet that sails thither early in the spring from Rochelle. We communicate this to you for the King's information. *Signed,* J. Bridgewater, Ph. Meadows, Wm. Blathwayt, Jno. Pollexfen, Abr. Hill. [*Board of Trade.* Plantations General, 34. *p.* 129.]

March 20. Transport Office. **831.** Estimate of provisions for 100 sick soldiers for 240 days for a voyage to Newfoundland. 71½ *cwt.* of rice at 35*s.*; 36 *cwt.* French barley at 18*s.*; 36 *cwt.* currants at 40*s.*; 18 *cwt.* prunes at 20*s.*; 31*lb.* cinnamon at 7*s.*; 31*lb.* mace at 22*s.*; 31*lb.* nutmeg at 8*s.* 6*d.*; 6½ *cwt.* sugar at 38*s.*; 20*lb.* pepper at 16*s.*; 184 bushels oatmeal at 5*s.*; 100 cradles [cots] at 7*s.* each; 100 beds, pillows and rugs at 7*s.*; Chirurgeons 2*s.* 6*d.* for every man. Total, £537 16*s.* 8*d.* 1 *p.* [*Board of Trade.* Newfoundland, 3. *No.* 63.]

[Mar. 20.] **832.** Invoice of medicines, at ready money prices from the Apothecary. Total, £178 12*s.* 4*d.* 3 *pp.* [*Board of Trade.* Newfoundland, 3. *No.* 64.]

March 20. **833.** Invoice of utensils necessary with the medicines. Rough estimate of cost, £34. 1 *p. Endorsed,* Sent to Mr. Sec. Trumbull, 20 March, 1696-7. [*Board of Trade.* Newfoundland, 3. *No.* 65.]

March 20. Admiralty. **834.** Secretary of the Admiralty to William Popple. Forwarding extract of a letter from the Commissioners of the Navy at Plymouth, respecting a vessel hired to sail express to New England. *Signed,* J. Burchett. ¼ *p. Enclosed,*

834. I. Extract from a letter of the Commissioners of the Navy at Plymouth, 18 March, 1697. I have hired the best ship I could find to carry packets to New England, called the Mary de Grace. She was a French privateer, about forty tons and six men, and a very prime sailer, having made several voyages by running without convoy. She may be ready in five days. [*Board of Trade.* New England, 8. *Nos.* 77, 77 I.; *and* 36. *pp.* 144-145.]

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March 20. Whitehall. **835**. William Popple to Henry Greenhill. I have received yours of 15th and 25th ult., and thank you for your trouble. As to postage, I am to inform you that I shall be accountable to you for the first packet as well as for any others of the like nature in future. I now again send you three packets to be sent by the men-of-war to Barbados, Jamaica, and the Leeward Islands. [*Board of Trade.* Plantations General, 34. *p.* 130.]

March 22. **836**. Journal of General Assembly of Massachusetts. Proposals from the Representatives as to defence of the frontiers, prosecution of the war, and supporting the charge thereof, received and debated. The vote as to the security for money advanced to the Treasury, returned to the Representatives with amendments.

March 23. Proposals for supporting the charge of the war were debated. Bill to encourage the Treasurer to advance his own money to the public, drawn up and sent down to the Representatives.

March 24. Proposals for raising a fund for supply of the Treasury again debated. Order for a bill to be prepared to prevent inconvenience from Indians pretending themselves friendly.

March 25. On the petition of Sheriff Samuel Gallop, order was given that he be not prosecuted for the fine laid on Daniel Wilcox, who has escaped from his custody. Order for annulling an execution issued against Joseph Doty. Bill to secure the Treasurer for money of his own advanced to the Treasury, received from the Representatives and assented to. Harvard College Incorporation Bill again debated.

March 26. The members of the Corporation of Harvard College agreed on, and sent down to the Representatives for concurrence. Additional Bill for regulating fences and cattle read a first time.

March 27. Two votes of the Representatives for payment of the clerk and door-keeper of the Assembly agreed to. Orders voted for the regulation and fortification of the garrisons. Adjourned to 30th. [*Board of Trade.* New England, 48. *pp.* 125-132.]

March 22. H.M. Yard near Portsmouth. **837**. Henry Greenhill to William Popple. The packets for the West Indian Islands have been received, and shall be put on board the respective convoys when they arrive. I have ordered an account to be kept with you for the postage. *Signed*, Henry Greenhill. ½ *p.* *Endorsed*, Recd. Read, 24 March, 1696-7. [*Board of Trade.* Plantations General, 4. *No.* 47; *and* 34. *p.* 132.]

March 22. Custom House. **838**. Commissioners of Customs to the Lords of the Treasury. Forwarding a body of instructions to the Governors of Colonies for the more effectual observance of the Acts of Trade and Navigation; and presuming that some additions will be necessary in consequence of the address of the House of Lords to the King respecting the Plantation Trade. *Signed*, Sam. Clarke, Robert Southwell, Robert Clayton, Ben. Overton. [*Board of Trade.* Plantations General, 34. *pp.* 142-143.]

March 22. Bristol. **839**. The Mayor of Bristol to William Popple. Yours of 16th has been communicated to our Newfoundland merchants, who have several ships bound for Cork and Waterford, where their cargoes and provisions are ready bought. Though the ships lie here at great charges, not one will proceed until advised that the forces intended are departed. Nevertheless the merchants are

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sensible that the season is approaching and that a small loss of time will totally frustrate their fishing design. It will be a great encouragement if H.M.S. Crown is ordered to call at Cork and Waterford to take them to Newfoundland. *Signed*, John Hine, Mayor. ½ *p. Endorsed*, Recd. 24. Read, 25 March, 1696-7. [*Board of Trade.* Newfoundland, 3. *No.* 66.]

March 22. Whitehall. **840.** Council of Trade and Plantations to Secretary Trumbull. Enclosing him extract of a letter from William Adams to Simon Cole of 17 March, 1697, as follows. I have seen a letter from Newfoundland how the French have destroyed the places that remained in our possession, and killed eighty of them who fled into the woods and made resistance. The French King is sending out six men-of-war and stores for building fortifications. The French boast more of this conquest than of all that is done in this war. We shall have ships go to Newfoundland when too late. [*Board of Trade.* Newfoundland, 25. *p.* 99.]

March 22. **841.** Memorandum of several papers with reference to the case between Isaac Richier and Governor Goddard of Bermuda, presented at different times to the Board by Edward Richier. ½ *p. Annexed*,

841. I. Statement of the case between Governor Goddard and Isaac Richier. On his arrival at Bermuda Governor Goddard demanded of Richier half of the profits of the Government since the date of his commission, threatening that he would make him comply. Accordingly he caused Richier to be imprisoned and his goods to be seized. This is not denied in Goddard's answer. Next he instigated several persons to bring vexatious suits against Richier and notably Nicholas Trott, whose ship Richier had stopped in pursuance of the Acts of Trade, in which action the Lords of Trade and Plantations upheld him. Yet Richier was prosecuted to outlawry for so doing. Goddard has also ousted from the Council and Commission of the peace all who were friendly to Richier, and has intimidated all who dared to speak on his behalf. Mr. Richier has for long been closely confined in a noisome common gaol. One Walker, a murderer, was released from prison by Governor Goddard, and three witnesses against him imprisoned. Governor Goddard has perverted the forms of justice to extort money from one Ephraim Fox and one Adam Eve. The King's Orders in Council to obtain justice for Richier have been disregarded. 1½ *pp. Endorsed*, Presented by Mr. Edward Richier, 22 March, 1696-7.

841. II. Attestation of Thomas Walmsley. Absolutely denying the truth of Samuel Wall's narrative of Isaac Richier's disloyalty to King William, and hinting that Wall himself was a Jacobite. He adds that for speaking on Richier's behalf he had several of his goods seized by Governor Goddard's order. 2½ *pp.*

841. III. Protest of Isaac Richier to Governor Goddard, 1 July, 1695, arguing that Nicholas Trott's suit of outlawry against him is utterly illegal.

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841. IV. Copy of a bond offered by Isaac Richier to abide by the King's award as to his case, if Governor Goddard restored his goods. 1 *p.*

841. V. Copy of the bond offered by Isaac Richier to Governor Goddard; a duplicate of *No.* 728 II.

841. VI. Copy of the bond offered by Isaac Richier relating to the prosecution of Nicholas Trott; a duplicate of *No.* 728 III.

841. VII. Copy of Isaac Richier's memorial of 4 October, 1696, a duplicate of *No.* 728 VII.

841. VIII. Protest of Isaac Richier against the illegality of the pretended outlawry against him, 16 Sept. 1696. 1 *p.*

841. IX. Affidavit of John Dudgeon as to the committal of three witnesses to prison by Governor Goddard to prevent them from giving evidence against Thomas Walker; and as to the intimidation by Governor Goddard of Richier's friends. 1¼ *pp.*

841. X. Attestation of Mary Vaughan. As to the perversion of the forms of justice by the Governor and Sheriff of Bermuda to extort money from Ephraim Fox. 1 *p.*

841. XI. Copies of documents in support of Mary Vaughan's attestation. 2 *pp.*

841. XII. Petition of Adam Eve to King William and Queen Mary. Stating how he has been ruined by Governor Goddard and Nicholas Trott, who unjustly seized some land which he had recovered by action at law, because he refused to pay the large fees. 1 *p.*

841. XIII. Statement of the case of Adam Eve. 3 *pp.* [*Board of Trade.* Bermuda, 3. *Nos.* 8, 8 I.-XIII. *List of these documents is in Board of Trade.* Bermuda, 29. *p.* 21.]

March 22. **842.** Journal of Council of Trade and Plantations. The King's letter to the Governor of Massachusetts received, and signed. Order for a letter to be prepared to the Lieutenant-Governor to cover it. Mr. Adams's letter of 17th inst., with information as to Newfoundland, was read and at once written to Mr. Secretary Trumbull (*No.* 840). Mr. Usticke's letter of 19th inst. read (*No.* 826).

Mr. Thornburgh's letter, excusing his delay in replying owing to the death of one and the indisposition of others of the Proprietors of the Bahamas, read.

The Gentlemen interested in mines in New England attended, but were told that the Council still insisted upon the heads of the proposals signified to them on the 15th of February. They were also desired to bring up a clause mentioned by them to have been prepared by the House of Commons against stock-jobbing.

Mr. Penn's letter excusing himself from attendance was read.

Mr. Edward Richier presented papers relating to his brother's case in Bermuda (*No.* 841).

Order for the Secretary to press the Attorney and Solicitor General for the despatch of the laws of New York and New England.

March 23. Mr. Graves presented a petition (*No.* 843) on which the Secretary was directed to write a letter to the Secretary of Customs (*No.* 844).

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March 24. Mr. Sansom's letter of yesterday as to Mr. Graves read (*No.* 845).
Mr. Greenhill's letter of 22nd inst. read (*No.* 837).
Mr. Burchett's letter of 20th read (*No.* 834), whereupon the letter to the Lieutenant-Governor of Massachusetts of to-day's date was signed and sent to Plymouth. Mr. Samuel Allen presented a petition to be continued as Governor of New Hampshire, but withdrew it on learning that Lord Bellomont had been appointed. Order for the Secretary to write to Mr. Nelson to ascertain the right and title of the English to Port Royal in Acadia.
Mr. Penn attended, and obtained the Council's assent to his proposal that the persons appointed as Admiralty Officers in Pennsylvania might act also in the three lower counties.
The Duke of Shrewsbury's letter of this day as to new Councillors for Barbados read.

March 25. Mr. Sansom's letter of 24th read (*No.* 850). Order for the alteration to be added to the letter to Mr. Secretary Trumbull of this day (*No.* 853).
Mr. Hine's letter of 22nd read (*No.* 839). The Secretary was directed to inform him that H.M.S. Crown would call at Waterford. Mr. John Cary attending was also informed thereof.
Draft Commission for Lord Bellomont as Governor of New York agreed upon, and a copy ordered to be sent to him. Lord Bellomont's letter of to-day to Lord Bridgewater was read (*No.* 854), and consideration deferred.

March 26. Mr. Blathwayt delivered copy of an address of the House of Lords to the King of 18th inst. (*No.* 820). Ordered that a circular be prepared to signify to the Plantations the King's pleasure as expressed in that address, that the same be inserted in all future instructions to Governors, and that Proprietors of Plantations give security that their Deputy-Governors shall obey the King's commands in respect of the Acts of Trade.
Mr. Secretary Trumbull reported that the King thought it too late in the year to enter on the project of intercepting the Canada fleet.
Draft Commission to Lord Bellomont as Governor of Massachusetts agreed to, and a copy ordered to be sent to him. [*Board of Trade.* Journal, 10. *pp.* 40-49.]

[Mar. 23.] Whitehall. **843.** Petition of John Graves to Council of Trade and Plantations. I was commissioned to be Collector of Customs in the Bahamas and have shipped provisions and other goods to the value of over £100 for my voyage and occasions ashore. By your orders I attended you and gave you certain information as to pirates; but since the delivery of a petition by Thomas Bulkley, the Commissioners of Customs ordered me to return my Commission. Since there is nothing against me in this petition except verbal allegations, not sworn to, I beg that Captain Webb and the Council may be ordered to enquire into the whole matter and report to you, when I shall be content to abide by the King's decision thereon. [*Board of Trade.* Proprieties, 25. *pp.* 55-56.]

March 23. Whitehall. **844.** William Popple to John Sansom. The Council of Trade in sending you Mr. Bulkley's petition did not intend to charge Mr. Graves with any crime, nor do they desire that the bare allegations of Mr. Bulkley should be accepted to his prejudice. Whatever the

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Commissioners of Customs think fit to do on any other ground the Council leave entirely to them. [*Board of Trade.* Proprieties, 25. *p.* 57.]

March 23. Custom House. **845.** John Sansom to William Popple. I have received yours of 17th, with a petition from Thomas Bulkley making grave reflections upon John Graves. The Commissioners of Customs on enquiring into the matter summoned Mr. Randolph, who said that Mr. Graves had been named to him as one well-qualified to execute the Acts of Trade and Navigation in the Colonies, that from that time he had no knowledge of him, and that he finally proposed him because he appeared to have been appointed Attorney-General by Governor Trott in the Bahamas. Mr. Graves then produced to the Commissioners his authority to act as Attorney-General, and would have proceeded to defend himself, when the Commissioners checked him, saying that the matter was under the examination of the Council of Trade, and in the meanwhile required him, as his conduct was in question, to return his Commission. [*Board of Trade.* Proprieties, 25. *pp.* 58-59.]

March 23. Whitehall. **846.** William Popple to the Attorney and Solicitor-General. The Acts of several of the Colonies have been sent to you, some jointly, some separately. While they all of course require to be considered in some competent time, yet by reason of the Earl of Bellomont's appointment as Governor of New England and New York the Council of Trade desires your opinion as speedily as possible upon the laws of Massachusetts and New York, and in particular of New York. [*Board of Trade.* Plantations General, 34. *p.* 131.]

March 23. **847.** Minutes of Council of Barbados. A letter from the officer on the French flag of truce was Englished and referred to a Committee to answer. A petition from twenty-three masters of ships for leave to sail was read, and rejected in view of the fact that a French squadron is reported to windward, and that another British man-of-war is expected from the Leeward Islands. Account of disbursements for a hired sloop presented. Bill for quartering of soldiers returned to the Assembly as amended. The Assembly renewed their request for the recording of the Act enabling judges to choose their own clerks, and brought up three bills, to disable judges from practising in any Courts, to repeal an Act for a duty on shipping, and for payment of the powder-duty. [*Board of Trade.* Barbados, 65. *p.* 199.]

March 24. Whitehall. **848.** Duke of Shrewsbury to Council of Trade and Plantations. Edward Bourke and David Ramsay have applied to the King to be appointed to the Council of Barbados. The King desires you to ascertain their qualifications for the office and to report. *Signed,* Shrewsbury. ½ *p. Endorsed,* Recd., Read 24 March, 1696-7. [*Board of Trade.* Barbados, 7. *No.* 27; *and* 44. *p.* 55.]

March 24. Whitehall. **849.** William Popple to the Agents for Barbados. Asking them to enquire as to the qualifications of Edward Bourke and David Ramsay for the Council of Barbados, and to report. [*Board of Trade.* Barbados, 4. *p.* 56.]

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March 24. Custom House. **850.** Secretary of Customs to William Popple. In reply to yours of 19th, the Commissioners of Customs, being informed by Mr. Randolph that Mr. Thomas Newton is lately arrived in England without any thoughts of returning to Massachusetts, have called Mr. Benjamin Lynde before them and are of opinion that he is a fit person to be Advocate in Massachusetts, New Hampshire and Rhode Island. *Signed*, Jno. Sansom. ¾ *p. Endorsed*, Recd. 25 March, 1697. [*Board of Trade.* Plantations General, 4. *No.* 48; *and* 34. *p.* 132.]

March 24. Whitehall. **851.** William Popple to John Nelson. Desiring him to inform the Council of Trade as to the English right and title to Port Royal in Nova Scotia, in case of a treaty of peace between France and England about territories in America. [*Board of Trade.* New England, 36. *p.* 145.]

March 24. Whitehall. **852.** Council of Trade and Plantations to Lieutenant-Governor Stoughton. Preparations are making by land and sea for the recovery of Newfoundland. You and the whole body of the Government will do your utmost to forward the undertaking, knowing how much New England is concerned in recovering what is lost there and in hindering the further progress of the French there. We need add no more to incite you to extraordinary vigour than that your efforts will be most favourably accepted by the King. To secure greater unity of action the King has appointed the Earl of Bellomont to be Governor of New England, New York, and New Hampshire, and Captain-General also of the forces of Connecticut, Rhode Island, and the Jerseys. He will embark shortly. Meanwhile use your utmost care and diligence. *Signed*, J. Bridgewater, Ph. Meadows, Wm. Blathwayt, Jno. Pollexfen, Abr. Hill. *Memo.*—A duplicate was sent to Colonel Gibsone. [*Board of Trade.* New England, 36. *pp.* 146-147; *and* Newfoundland, 25. *p.* 102.]

March 25. Whitehall. **853.** Council of Trade and Plantations to Mr. Secretary Trumbull. According to the King's orders signified to us by Mr. Tucker in his letter of 17th, we have heard Mr. Penn respecting some alterations which he desired to make in the list of Admiralty Officers submitted by us to the King. Finding that he objects nothing against any of the persons nominated, but desires only that the same officers may serve for Pennsylvania and the lower Counties, we have nothing to object to his proposal. The Commissioners of Customs have informed us that Mr. Thomas Newton is in England with no thought of returning to America, and have proposed Mr. Benjamin Lynde to take his place. He has been here to declare his willingness to accept the post, so we concur with the Commissioners that his name should be inserted instead of Mr. Newton's. *Signed*, J. Bridgewater, Ph. Meadows, Wm. Blathwayt, John Pollexfen, Abr. Hill. [*Board of Trade.* Plantations General, 34. *pp.* 133-134.]

March 25. **854.** Earl of Bellomont to the Earl of Bridgewater. I have the ill-luck to have a lame knee, but hope to be well enough in two or three days to attend you concerning my voyage to the West Indies. Meanwhile I hear that the merchants trading to the

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countries wherein I am to be concerned, are preparing a memorial to lay before you the wants under which the people at present labour for their support and security. No doubt a very few days will produce the result of their consultations before your Board, as also some communications from myself. I hope that you will have time enough to consider our memorials and be ready to take the King's commands upon them by next Council day. *Signed*, Bellomont. *Holograph.* 1¼ *pp.* [*Board of Trade.* New England, 8. *No.* 78.]

March 25. Kensington. **855.** Minute of the Privy Council. Captain Webb was sworn before the King and Council as Governor of the Bahama Islands. [*Board of Trade.* Proprieties, 25. *pp.* 59-60.]

March 25. Annapolis, Maryland. **856.** Sir Thomas Laurence to William Popple. The Bishop of Salisbury told me when I was at home last year that you were designed for the place of Secretary to the Council of Trade, which we since hear that you have received. This is to congratulate you. In November, 1694, I was deputed by the Governor and Assembly to lay before the late Committee several addresses and proposals as to this province, few of which, owing to the uncertain sitting of that Committee, were perfected, but all referred to different offices. Mr. Povey, who still transacts some matters in favour of this Colony, and Mr. John Boesman (?) who solicits both the public and my private matters, have already, I suppose, laid the papers before the Council. Those which press for speediest despatch are an Act for establishing the Protestant religion, which has been revised according to the King's order in Council. It is among our last laws, herewith sent, together with an humble address that if it be not found according to the King's wish, he will have it worded so that he will pass it. Another Act relates to the founding and endowing of free schools, which is also returned with amendments. There is also a petitionary law for the introduction of foreign coins, and settling their value in the Colony, which is of great moment towards quieting our trade. In all of them favourable despatch will lay us under great obligation. Lastly there was a memorial of the Governor delivered by me, containing many things for the better regulation of the trade and improvement of the King's interest in this and the neighbouring Colonies, to which we hope for an answer. I have now sent up in a box and directed all the duplicates of the laws and journals which were sent home last summer, together with duplicates of those which were lost at sea, and the transactions in the Council and Assembly since my arrival in Maryland at the beginning of August last. Copies of all these are likewise sent to the Duke of Shrewsbury. If you are not acquainted with the extraordinary character of our Governor, which will deserve your recording, his Acts sent herewith will show you his pious and generous intentions and actions. In short, if building State-houses, churches and free schools, and contributing largely to them himself, and bringing at the same time a poor country out of debt—if furnishing with store of arms and settling the militia—if bearing down vice by good laws and good example, and carrying the credit of Christanity to the eyes and ears of our poor ignorant Indians—if these things will merit your esteem, Colonel Nicholson will be the

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fairest for it of all the Governors in America. *Signed*, Thomas Laurence. *Holograph.* 3¼ *pp. Endorsed*, Recd. 31 July. Read 5 Aug., 1697. *Enclosed*,

856. I. Copy of a correspondence between Governor Nicholson of Maryland and Governor Fletcher of New York, between 22 June and 10 November, 1696, on the subject of the quota required from Maryland for the defence of New York. 2 *pp. Endorsed*, Transmitted by Sir Tho. Laurence, 25 March, 1697. Recd. 31 July. Read 19 Aug., 1697. [*Board of Trade.* Maryland, 3. *Nos.* 14, 14 I.]

March 25. Annapolis. **857.** Extract of a letter from Sir Thomas Laurence to the Earl of Bridgewater. I found the Governor in good health, carrying on a fair house for the administration of justice and all the offices of business, a fine brick building, which will be accompanied with a fine church, costing £1,000, and a public school, costing £500, both of which are now in hand, and our contributions ready. But the reversal of the Acts for the establishing of religion and for free Schools had put our Assembly so out of humour that, if the Governor had not with great address got them re-enacted, all his generous designs for the good of the country were in danger of miscarrying. The Acts are now sent back to be presented to the King and an humble address with them; but it is a wonder here that Mr. Popple has not given us timely notice how to make our addresses and applications. Many matters were left unfinished when I came away from England. There was a memorial relating to several matters in this and adjacent Colonies, which was referred by you to the Customs, and by them to the merchants. Therein notice was given of the encouragement given to cotton-planting in Virginia by Sir Edmund Andros and others, which seemed prejudicial to tobacco-planting and to the King's interest. This gave distaste to some in London who were friends to Sir Edmund and had land here, and they have sent copies of the memorial into Virginia, endeavouring to bring Governor Nicholson into odium as an informer and an enemy to the welfare of the country. Some hot and factious spirits have carried this so far in our Assembly that though I was of their opinion before, and had recovered £300 for them which Sir Edmund Andros had taken from the Colony (£200 of which is applied to the building of the free school) and gives a fair account of my negotiation [*there is apparently some mistranscription here, for this sentence does not end*]. No doubt you were surprised at the sending of the memorial to the Custom House Commissioners, and at their sending it to the merchants, for there are some things in it not so fit for the merchants or common persons to know. Pray let me know what judgment is passed upon it, for there has been so much noise about it. *Copy.* 1½ *pp. Endorsed*, Recd. 13 Aug. 1697. [*Board of Trade.* Maryland, 3. *No.* 15.]

March 25. Annapolis, Maryland. **858.** Sir Thomas Laurence to James Vernon. I send herewith several duplicates and some originals of journals and public proceedings. I arrived in Maryland at the beginning of August. By two ships laden with sugar from Jamaica and rescued by a storm from the French, who had taken them in the Gulf of Florida,

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we understood that Mons. Renaud with a squadron of seven large ships had lain off Cuba for some time in quest of the Plate fleet. They missed it, nor can we hear that they have done any harm to any English Colony. On my arrival at Annapolis I found the Governor very busy building the State-house, a fine brick building containing all the offices of business belonging to the country. He is now going on with a church, to which he has given £100 and which will cost £1,000, besides a school costing £500, of which £200 is to be defrayed from the money recovered from Sir Edmund Andros. Besides these, thirty parish churches will be finished this summer, and by next fleet we hope that Dr. Bray may come, bringing part of the parish library which he has been collecting, and ten or twelve sober ministers. I think considering the sort of people we have to do with, living hitherto under no civil or ecclesiastical Government of any influence in faith or morals, that the Governor's works will be near akin to the converting of a barbarous and heathen nation. Yet all this was nearly brought to a stand by the disallowance of the Acts for Religion and for Schools, which might have gone back for an amendment without a reversal (*sic*) if somebody had pleased to spare that remark about the £300. But this puts the Assembly so much out of humour that if the Governor had not got the Acts speedily re-enacted and amended, the maintenance of our clergy had been gone and the churches unbuilt. At the same time he threw over Captain Coode, who has long renounced his orders, and his morality and religion too. He lately got into the Assembly on purpose to embroil our affairs, having before held correspondence with Dr. Payn and got a deputation to go halves with him in the Commissary's office, which the Assembly have petitioned the King to bestow in perpetuity on the Bishop of London's suffragan. Considerable consequences might have followed if Coode had not been put down; but now we go on triumphant, many persons by the Governor's example subscribing to these good works. I hope they will not be perverted by the contrary practices in Virginia, where I hear that £2,000 of the subscriptions are not to be got and the College is at a stand, their politic Governor thinking it enough to build his own fortune, and being too wise to take any advice which tends to the lessening of his revenue. By his conduct he has shewn the vanity of that fear which has been artificially suggested by some persons, of less orthodox principles, likely upon his removal to succeed. We are fully assured that none such will be recommended by the Duke nor have Mr. Vernon's countenance; who will, I believe, be rather inclinable in another instance to imitate King Charles II., who when he gave Dr. Snow the Bishopric of Winchester said he did it to enable him to pay his debts contracted by his hospitality in his poor one of Bath and Wells. My best thanks for your many civilities to me in England. My ill-luck with our laws and not bringing back a confirmation of the proposal for advancement of coins has so far affected me among these ill-bred and ungrateful people that the Assembly gave me not a penny for all my expenses, losses and trouble, only £50 on condition that the law for coins is confirmed. Nor are they more honest here, for I can never get half of my yearly profits from them, nor even that

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until the ships are gone. So if a vacancy happen for the agency of Portugal, your remembrance of me will never be forgotten. *Signed*, Thomas Laurence. *P.S.*—We hear the new Commission is opened, but not a word yet from Mr. Popple. If my eldest son be in town from Oxford, pray let him wait on you some time. *Holograph.* 4 *pp. Enclosed*,

858. I. List of papers forwarded with the foregoing letter. 1 *p.*

858. II., III., IV. Extracts from the Minutes of Council of Maryland of 4 January, 18-21 February, and 16-17 March, 1697. [*America and West Indies.* 558. *Nos.* 1, 1 I.-IV.]

March 26. Antigua. **859.** Governor Codrington to Council of Trade and Plantations. Since my last of 7 October, I have received yours of 23 November. It is the business of the Secretary to send home the minutes of the Councils of the Islands, and to my knowledge he sent them all home by H.M.S. Hastings. He is preparing them since that time for transmission by next convoy, and he has my orders to send them and the other returns every six months. But the Treasurer's accounts, never have been asked for before, cause some difficulty to those concerned, though the Treasurers have promised to have them ready by next convoy. I send herewith a list of the Councils in the Islands, which at present is pretty complete in Antigua only. We have two gentlemen who rarely attend business, being ancient and sickly. John Palmer and Colonel Holt being members of all the Councils, the one presides at Nevis, and the other's quarters are there, so that they are not esteemed Councillors here or at Montserrat, except when they may occasionally visit them. Antigua therefore will want a new Councillor sworn, a full Council being often wanting through sickness or other impediments. Upon your advice of the French designs upon these parts, I took every measure for placing these Islands in the best posture of defence against any attack, and have caused our arms and stores to be reviewed, and our posts and entrenchments to be renewed. I find a generous inclination in all our inhabitants to defend the King's interest here vigorously, but I must observe that by the several expeditions which we have made during this war, the constant guarding and the visitation of sickness which has raged among us from the beginning of the war, we are much weakened in men; and although our soldiers have held out indifferent well, yet I find that by sickness and the enticing of some by merchant-ships, we are in want of eighty or one hundred recruits, which number would make the King's regiment complete. The fourth-rate and fifth-rate frigates, which are designed for this Government, will be of great service if they be good sailers, otherwise the enemy's privateers will little regard them. Hitherto we have pretty well defended our coast and trade by the help of the frigates now here, and of two or three privateers who were encouraged by me to fit out in this island and have met with some success. But of late the provisions on the men-of-war are failing, and they have been visited with some mortality, both the Commanders and several of the men being dead. No supplies from

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the Victualling Office nor victualling ships have yet arrived in this Government, so that for the last six weeks our two men-of-war have been in a manner useless. However, I have now furnished them with some men and with a month's provisions, and they are going to sea. It is high time, for Mons. D'Amblemont, the new General of the French, is lately arrived at Martinique with three small men-of-war and some merchantmen, some of which are fitting out as privateers, till their homeward cargoes shall be ready, and cruising in these waters. Two of them only yesterday chased a Guinea ship worth £5,000 into one of these harbours, pursuing her to within a league of the shore. I doubt not that if some of our men-of-war come up with them they will take or sink them or drive them off the coast. Until these French ships lately arrived here, we were in some measure quiet; and by a flag of truce, which I sent to exchange prisoners, I learn that this is all the naval force that they expect from France this year.

Pursuant to your orders I shall desist from any formal settlement of the French part of St. Christophers, and shall make no alteration of the tenure of English subjects by altering the 4½ *per cent.* duty. Indeed, I never intended anything like it in any of the other islands, only offering for consideration whether in a new settlement, such as that of St. Christophers, a quit-rent might not be an acceptable equivalent for that duty; and by my instructions the people are given leave to offer an equivalent. Such settlement as has been made on the French part of St. Christophers since we took it was not done without the King's permission; and finding that such settlement would strengthen the Islands by attracting fresh people hither, I did all in my power to gain such addition of strength. Since it is your command, I shall desist from it, though I must observe that the restoration of that part of the Island to the French will not only make the English part in some measure invaluable, but will be a very great discouragement to the other islands by setting so powerful a neighbour in their bosom, and as near to us on this island as Guadeloupe to windward. However I have said so much of the advantage of keeping St. Christophers entire to the English, that I shall trouble you no more than to press for your friendship that if possible it may be kept to the King at the peace. Upon view of our stores I find no ammunition, it being four or five years since the King sent us any powder. What we have is small in quantity and not very good, being by time grown very ordinary in spite of our utmost care to preserve it. I beg you therefore to intercede with the King for a supply of four hundred barrels of powder for the four islands. Part of it should be pistol-powder for our small-arms, which we most depend upon. Also the new fort of this Island, being nearly finished, will want at least thirty pieces of ordnance, which please procure for us, with carriages, springs, ladles and all such appendages, for though our island affords timber to make such things, yet we are so scarce of carpenters and smiths that there is long delay and vast charge before they can be obtained, and when done they are often improper for service owing to the ignorance of the workmen. *Signed*, Ch. Codrington. 2 *pp.* *A short abstract is attached.* *Endorsed*, Recd. 18th, Read 24th June, 1697. *Annexed*,

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859. 1. Lists of the Councils of the Leeward Islands, 1 May, 1697. ANTIGUA. John Yeamans, Rowland Williams, Francis Carlisle (superannuated), John Fry (superannuated), John Hamilton, Edward Byam, Sam. Martin, Thomas Duncombe, John Palmer, Henry Holt. MONTSERRAT. Anthony Hodges (superannuated), Edw. Parsons, William Fox, Anthony Hodges (jun.), Major Lee, Rich. Clayton, John Irish, John Davis, John Palmer, Henry Holt. NEVIS. Michael Smith, Walter Symonds, Daniel Smith, William Burt, John Smargin, James Thynne, Richd. Abbott, John Palmer, Henry Holt. ½ *p.* [*Board of Trade.* Leeward Islands, 5. *Nos.* 42, 42 1.; *and* 45. *pp.* 75-81.]

March 26. **860.** Journal of House of Delegates of Maryland. By the Council's request a Committee was appointed to inspect the public buildings. Adjourned to 6 a.m. to-morrow.

March 27. Public buildings approved. Committees appointed. Several proposals from the Governor laid before the House, viz. (1) the disturbance caused by certain Indians deserting their forts and retiring to the mountains, apparently owing to the late murder of a negro-boy; (2) the better regulation of the militia; (3) amendment of the law as to sheriffs; (4) the lessening of the expenses of the Commissioners of County Courts; (5) as to commissions of the peace; (6) to secure all letters brought in or carried out by ships; (7) to confirm the titles of land on which churches and chapels are built. Hereon it was resolved as follows: (1) The question was deferred till Major William Barton should arrive. (2) Was referred to the Committee of Laws. (3) A Bill to be brought in to redress the public credit. (4) This question is already sufficiently settled. (5) Referred to the Committee of Laws. (6) A Bill to be introduced to prevent the interception of letters. (7) A Bill to be introduced accordingly. Committee of Grievances appointed.

May 28. Message to the Council. Our clerk has been arrested under the Governor's warrant, we know not for what reason. We conceive this to be a great breach of privilege. Answer of the Council. We did not know that the arrested man was your clerk. He is arrested for perjury. Resolved that this answer is satisfactory.

May 29. Petition of William Sharp read. Resolved that he has been illegally treated. The Committee of Grievances brought up their report, and it was resolved thereupon to bring in two bills. Philip Clarke, Chairman of the Committee of Laws, also brought up a report adverse to the Governor's fifth proposal. [*Board of Trade.* Maryland, 15. *pp.* 145-151.]

May 26. **861.** Minutes of Council of Maryland in Assembly. It was decided first to view the public buildings; and the agreements with the workmen, etc., were sent down to the Delegates.

May 27. Two delegates attended to say that they awaited the Governor's pleasure, and presented a new member to be sworn. The Assembly approved of the public buildings. The proposals to be laid before the House were considered and sent down. Resolutions of the Assembly in reply. Interchange of messages with the Delegates

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as to their Clerk. Several new proposals were considered. Two letters from Mr. Povey respecting coins read. Governor Fletcher's letter of 8 February, and the Council of Trade's of 25 September, sent to the Delegates. Question of the fees of the Registrar in Chancery referred to the Delegates. It is remarked that the Clerk of the Delegates should not sign himself Clerk of Assembly, nor close his journal by writing that the House prorogued itself, and that the Delegates have no power as such to administer an oath.

May 29. Proposals as to the State-house, arms and ammunition and navigation bonds, considered. Message from the Delegates that masters of ships would not give new powder for the old country powder, and could not be compelled to do so. Message from the Delegates condemning any proposal to empower the Governor to appoint the justices of the peace by warrant under his hand. [*Board of Trade.* Maryland, 14. *pp.* 159-172.]

March 27. Annapolis, Maryland. **862.** Governor Nicholson to Council of Trade and Plantations. I have received yours of 25 September, 1696, and shall endeavour to answer your questions. The appointment of your Lordships as Commissioners of Trade and Plantations has given great satisfaction in the province and to myself in particular. First I give a brief account of this province before the Revolution. While Lord Baltimore resided here all things were pretty quiet, but on his departure he left the Government in the hands of the Council, the principal of which were papists. They had generally the places of profit and trust; and there were Quakers in the Assembly and other places of Government. The Church government was in the hands of Jesuits and priests, and their chief residence was within two miles of St. Maries, where they had a good brick chapel, and five or six wooden ones in other parts of the country. Of priests and Jesuits there are commonly six or seven in the country, and they have several good plantations to live upon; but I suppose they have allowances from England and other places and from the people of their persuasion in the Colony. The Quakers are also dispersed all over the country, but are more numerous and have more places of worship. There were seldom above three or four clergymen of the Church of England resident in the country, and they were maintained only by voluntary contributions, by which also their places of worship were built. Sabbath-breaking, cursing, swearing and profane talking, whoring and drinking (especially the last) were much practised; some of the men having two wives and some of the women two husbands; and such sins were seldom punished. Five schools there were, and those very mean ones either for master or house; but the Jesuits had some, especially one brick one at St. Maries. After Lord Baltimore's departure the Courts of Justice were very dilatory, and though people were fined by law and became sureties for one another, as also for strangers in Navigation bonds and other matters, yet the fines were seldom collected or the bonds seldom put in suit. I suppose the Jesuits and priests were willing to have a very loose Government both in Church and State, that they might bring the people to be Atheists in order to make

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them Papists; wherein they would have met with no great opposition, for the country was first seated by but an indifferent set of people.

Between the time of Lord Baltimore's Government and Governor Copley's arrival, things were very unsettled and the Government very loose. The public debts grew great and others also, especially those to Lord Baltimore on account of quit-rents. While Governor Copley lived the debts were not paid, nor during Sir Edmund Andros's Government, though there is an annual charge for the support of the Council, Burgesses, Rangers, Justices and County Courts, paid in tobacco and levied *per* poll; hence when I arrived I found the country much in debt and ill-settled alike in church, civil and military government. But I have endeavoured to model them, as my letters and the public records will shew. Duplicates of these and several other papers are transmitted by this fleet. An account of the parishes is sent herewith. In Governor Copley's time a law was passed for establishing the Church of England, which was disallowed by the King. Another is now sent, and the Journals of Assembly will show how great were my difficulties with it. When I came I found few of the churches built according to the former Act of Assembly, but I hope that they will be finished this year, and then we shall want clergymen and a commissary, for whose maintenance an Act is now sent to you. The Bishop of London has promised to send an able Commissary and some good clergymen, as also a schoolmaster for the free schools, for the establishment of which an Act was passed, but was disallowed by the King. A supplicatory Act for Free Schools is now sent to you, wherein the King is begged to appoint what more trustees and governors he thinks fit. As to the conversion of the Indians I think that the likeliest way of getting them to live among us and learn our language, as also of putting a stop to Papists and Quakers and bringing them over to the reformed religion, besides making the present Protestants better men, will be by directing free-schools where both English and Indians shall be bred up scholars and fitted for the Royal College in Virginia, the accounts of which will, I hope, be shortly delivered to Sir Edmund Andros. It is some charge to the King to supply these parts with ministers and schoolmasters, for he allows £20 to each of them for their transportation, without which few would be able to come. There is often, and now especially; great want of good clergymen and schoolmasters in these parts, and I will not venture to answer for some of their abilities, lives and conversations. I hope by next fleet to report that a good church and school are nearly finished in this place.

I enclose a list of the Council. Several of the inhabitants are not qualified to serve the King in any employment, which makes it difficult to supply it with good men, but I have given the names of some. I also give the number of taxables in the country for 1694, 1695 and 1696. It has never been the custom here to distinguish the taxables into freemen, servants and negroes, so I can give you no particulars, but I intend to have them so distinguished, and to obtain also, if I can, the number of Papists and Quakers. I give an account of the Indians resident among us, and of some late orders

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issued about them. We have had no further treaty with the Senecas, Susquehannahs and Shawanoes since my last, but expect to hear further of them this May. Mr. Edward Boothby, who was appointed to go to Pennsylvania about the Indians, has not yet made a return, I believe owing to illness. The foreign Indians mentioned in a certain address of the Burgesses to myself and Council, are men of the Five Nations, who are under the Government of New York, and are those who pass southward to the Southern plantations. Their strength is not known, nor where they lie exactly, but it is supposed West of North from us. The Indians who come from the Southward are supposed to inhabit the Ohio river, which runs into the Bay of Mexico. We know them as the Wittowees, Twistwees and naked Indians, but they are called by various names both by Indians and English. They are supposed to lie West of Southward of us. Sometimes they come down by the falls of Potomac and Susquehannah Rivers, between which places we keep two officers and eight troopers for ranging. Copies of orders concerning them are annexed.

The reason why the inhabitants leave this province is, I think, the encouragement which they receive from the Carolinas, the Jerseys and above all from Pennsylvania, which is so nigh that it is easy to remove thither. There handicraft tradesmen have encouragement where they endeavour to set up woollen manufactures, and there is great encouragement for illegal traders and privateers, or rather pirates, which causes many men to run from the King's ships, especially from the Virginia and Maryland convoys and also from the merchant ships. This is one reason why they are long in loading, especially this year, for I have accounts that over one hundred seamen have left this fleet. Captain Charles Wager, the Commodore, and Captain Josiah Daniel of H.M.S. Prince of Orange, can give you full information about a privateer and the runaway seamen. In a petition of the merchant-ships' masters to the Commodore for his longer stay, one reason given is the running away of the seamen owing to the encouragement given in Pennsylvania, which petition was published in the Provincial and County Courts, and was generally subscribed to. I send a copy of it together with several depositions concerning a privateer called Day, also further depositions of Mr. Charles Hemsley concerning six runaway seamen, and a declaration of my own concerning the harbouring of privateers and runaway seamen in Pennsylvania, which was approved by the Justices of the Provincial and County Courts. I send also copies of two proclamations, one concerning the seamen being encouraged by the people of Pennsylvania to go thither, the other enumerating the false pretences upon which people are enticed away and warning people not to believe them. There is also a copy of a paper concerning privateers and illegal trade, the latter part written by Mr. Robert Quarry, whom I have proposed for the Council here. I fear that unless some course be taken to prevent the harbouring of privateers and runaway seamen in these parts, that when the next merchant fleet arrives it will be much delayed in its loading, even if some ships be not forced to stay owing to the running away of the seamen.

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This province being long, full of creeks and rivers, and but thinly peopled towards the frontiers of Pennsylvania, I think it almost impossible to prevent seamen from running thither, and the King has no naval force in the province to prevent them, so I am in great hopes that, upon your representation, his Majesty may send us a small vessel to cruise by turns in this and Delaware Bay. I shall then hope to put some stop to the privateers and pirates, for last summer, though the three men-of-war of the convoy and the St. Albans, prize, were all there, yet the privateer Day sailed up to within a few miles of this place, landed with ten or twelve men and alarmed all that part. He did little mischief, though when he ran out of Delaware Bay he plundered some of the inhabitants. The bay being wide and the men-of-war but newly arrived, he contrived to evade them in the night. But unless there be some naval force to secure this whole bay, it is morally impossible to secure it otherwise. Every river and creek are harbours, and most people have landing-places at their plantations. To make tenable forts would cost a great deal of money—I reckon that one good one would cost £4,000—and it would secure only one river, if that, while to keep it in repair would be more chargeable than in England, for all buildings decay sooner here. To make wooden platforms or batteries (as they here call them) would be so much money thrown away, for I have seen some of this foolish sort of fortifications spoiled before they were finished. Again, such fortifications may be a danger as encouraging not only an enemy, who can easily seize them, but also rebellion, when they can be mastered at little hazard. But a naval force, if it include a fire-ship, or at any rate materials for making fire-ships, will I think hinder illegal traders, keep the country in awe, and protect us from pirates.

I have endeavoured to hinder illegal trade, but have met with great difficulties, especially in the Courts and the Assembly I enclose a copy of an address to the King about the navigation bonds and a paper from the Committee of Grievances, with two others. They complain of the security required, because I had ordered the Collectors not to accept such poor securities as formerly. The oath is that masters and others who take an account of ships shall give an account on oath of the number of hogsheads and great quantity of bulk tobacco, paying no duty for them, which I think is a fair step to their running tobacco when in England (*sic*). A great means to check illegal trading and secure the King's Customs would be the appointing of a few certain places for all ships to load and unload at. When I was Lieutenant-Governor of Virginia I tried to bring them to it by degrees by making a law for Ports. People in these parts have been so used to live separately that it is very difficult to bring them at once to cohabit, especially by restraint. In this province I have tried to make an essay of ports and cohabitation, at this place and at the port of Williamstadt on the eastern shore, which are the places where trade naturally was. I have ordered the Pennsylvanians who trade at the head of the bay to come to these places, there being several good cart-roads between the two countries, especially one between Bohemia river in this province and Opoquiminy Creek, which runs into Delaware Bay a few miles below Newcastle. The land-carriage being only about

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eight or ten miles, they carry boats and shallops of eight or ten tons in sleighs or in great carts. Illegal trade is much practised that way, especially in carrying tobaccos into Delaware, from whence many hundred hogsheads are taken to Scotland and other places. I believe that it will be found, if examination be made, that the Acts of Trade and Navigation are oftener broken than kept there, especially the late Act. The papers enclosed will show you what measures I have taken.

The bounds between Maryland and Pennslyvania are very uncertain, especially in the three lower counties in the territory of Newcastle. In King James's time there was a dispute between Lord Baltimore and Mr. Penn, and I have seen copy of an Order in Council to divide the provinces, but I do not find that the line was ever run. Several of Pennsylvania have tried to encroach upon Maryland, but I shall not be wanting to defend the King's right. I believe it would be for the welfare not only of the King's interest but of both provinces if the boundaries were settled, but I propose that they should not be adjusted until enquiry has been made in these parts, for then the upper part of the bay might be well-seated, and be a check to the Pennsylvanians. Then the inhabitants and ships trading from Pennsylvania, who are now furnished with flour, bread and beer from that province, might be supplied by our settlers, the place being very proper for making those commodities, provided no one man were allowed to take up above two or three hundred acres at most. Some persons have taken up great quantities of land both in Virginia and Maryland, of whom few or none are able to improve it all, and this is one great reason why young English Colonists and freed servants leave these Colonies and go either Southward or Northward; for they are naturally ambitious to be landlords, not tenants. Unless I am much mistaken there is little land to be taken up either in Virginia or Maryland except it be several miles beyond any of the inhabitants. Those distant and straggling plantations, where there is often not above one or two men, sometimes tempt the Indians to murder and plunder, while they are on their hunting expeditions or going to or returning from them.

I send a list of Navigation bonds, twenty-eight in all, for which judgments are obtained, a list of 115 on which no certificates are produced, another of 19 for which no certificates are produced and in which declarations are drawn, a fourth list of six for which neither principals nor securities are to be found, and a fifth list of sixty for which legal certificates have been produced. I beg for your orders as to what shall be done concerning the bonds upon which judgment has been or may be obtained, for I have ordered the Crown lawyers to prosecute those that can give no good reason for the suspension of their prosecution. But at the earnest request of the Council, Burgesses and principal inhabitants I suspended the execution of the forfeited bonds until the King's pleasure should be known. If the judgments had been executed I do not know that the King would have got £500 by them; the officers would have been obliged to execute them with vigour, and I did not know what effect it might have had. If the King will grant the petition of the Burgesses (and I must own what they suggest therein to be true), I

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propose that some of them shall be made examples, especially those who have been illegal traders within these two or three years. Presently after my arrival I gave notice of my intention to prosecute illegal traders, and had it recorded in the Provincial Court, so that they cannot contend that they had no warning. But I observe that in those parts the people begin to pretend custom and to claim that it is common law, which, if it be not timely prevented, may be prejudicial to the King's interest. For if they be allowed the benefit of their old customs, it will be vain for me to prosecute illegal traders or forfeited bonds, or to endeavour to model the country either in church or state.

I would humbly propose that the King should grant an Act of pardon to this province. It has only lately been taken under his immediate Government. The former Government was very loose, and may have been guilty of crimes which they generally pretend were not from disobedience to the laws but from not being used to them. They therefore hope that the King will forgive them. Two women are under sentence of death. I send abstracts of their condemnations, for they are thought fit subjects for the Royal mercy. I send the Collectors' and Naval Officers' list of ships. As the Assembly is not sitting this month and the passage of the bay is very difficult, I could not have them sworn before myself and Council. George Layfield, Collector of Pocomoke, sent me word that sickness had prevented him from sending his list; but these lists will show you the increase and decrease of our trade, mostly depending on the plenty and scarcity of tobacco. During the coldness of late years the production visibly decreaseth, for a great many good planters do not make 2,000*lbs.* of tobacco a year for a man, whereas formerly 4,000*lbs.* was considered an ordinary crop. This winter has been the longest known in the memory of man, for it began in the middle of November, and there is little sign of spring yet. It was very uncertain weather, several frosts and snows, one of which was the greatest that has been known. These extraordinary accidents make the planter conclude that he will be obliged at least to leave off planting tobacco or at least give up more of his time to the providing for his family, by reason that his stocks, etc., must be better provided with fodder, etc., for formerly they took little care of them. This long winter is supposed to have spoiled or very much damaged a great deal of the tobacco, and is a great hindrance to the ensuing crop.

It also very much retarded the fleets' loading. I enclose copies of several proceedings therein, in one of which your good offices are entreated to obtain a particular convoy for this province. I send duplicates of a letter from the Council and Burgesses to the late Committee of Trade, and of an Address and Association of the General Assembly, which Association has been signed by the provincial justices, the grand jury, and the officers and non-commissioned officers of the Militia. I beg that these may be presented to the King, as I hear that the originals were lost owing to the captain of the ship that carried them. I beg your pardon for the length of this letter; what it wants in style is made up in

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the sincerity and truth of it. *Signed*, Fr. Nicholson. 10 *closely written pp. Endorsed*, Recd. 21 June, Read 7 July 1697. [*Board of Trade.* Maryland, 3. *No.* 16; *and* 9. *pp.* 51-68.]

[March 27.] **863.** Abstract of the preceding letter from Governor Nicholson to the Council of Trade. 1½ *pp.* [*Board of Trade.* Maryland, 3. *No.* 17.]

March 27. **864.** A collection of documents forwarded with Governor Nicholson's letter of 27 March, 1697.

864. I. Account of the parishes of Maryland with the names of the vestry and the number of taxables in each of them, and the name of the parish-minister where there is such a one.

St. Mary's County.	William and Mary parish.	532	taxables
	King and Queen parish	473	,,
Calvert County.	Christchurch parish.	537	,,
	All Saints parish.	507	,,
	St. Paul's parish.	500	,,
	All Faith's parish.	278	,,
Charles County.	William and Mary parish.	258	,,
	Port Tobacco parish.	298	,,
	Nanjemy parish.	175	,,
	Piscattaway parish.	——	,,
Ann Arundel County.	Herring Creek parish.	507	,,
	South River parish.	460	,,
	Middle Neck parish.	374	,,
	Broad Neck parish.	223	,,
Baltimore County.	Potapsco (or St. Paul's) parish.	218	,,
	St. John's parish.	128	,,
	St. Jesye's parish.	137	,,
Cecil County.	South Sassafras parish.	350	,,
	North Sassafras parish.	321	,,
Kent County.	Kent Island parish.	146	,,
	St. Paul's parish.	534	,,
Talbot County.	St. Paul's parish.	606	,,
	Oxford Town parish.	453	,,
	St. Michael's parish.	485	,,
Dorchester County.	Great Choptank parish.	407	,,
	Dorchester parish.	221	,,
Somerset County.	Somerset parish.	304	,,
	Coventry parish.	369	,,
	Stepney parish.	362	,,
	Snow Hill parish.	353	,,

Each parish has a vestry of six men, whose names are given in full. *The whole*, 7 *pp. Endorsed*, Recd. 21 June, Read 15 Oct., 1697. *This document is entered entire in Board of Trade.* Maryland 9. *pp.* 150-158.

864. II. A list of several officers of Maryland, with information as to the Indians.

List of the Council of Maryland:—Sir Thomas Laurence, Bart., Secretary, Colonel Henry Jowles, Colonel George Robotham, Colonel Nicholas Greenberry,

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Thomas Tench, Colonel Charles Hutchins, Colonel David Brown, Colonel John Addison, Colonel John Courts, Thomas Brooke, James Frisby, Edward Randolph.

Justices of the Provincial Court :—

Robert Smith Henry Lowe Philip Clarke, dismissed by order of the Council St. Leger Codd John Hammond	Quorum.	Richard Hill Thomas Tasker Philip Hoskins Thomas Staley Robert King John Pollard Edward Jones William Hatton	Justices.

Here follow, Lists of the Justices, Sheriffs and Coroners for the various Counties.

A list of the Burgesses for the various Counties, both past and present, who have sat during Governor Nicholson's Government, with the reasons for the withdrawal of such as have gone out. *Against this list is written in Governor Nicholson's hand*, "The Sheriff's being a place of profit, is given to those who have done his Majesty service in the House and to encourage others to do the like."

An account of the number of taxables in each County in the years 1694, 1695 and 1696. For the most part the Counties show a slight increase excepting Calvert and Talbot, which show a decided decrease. The aggregate numbers are for 1694, 9,847; for 1695, 10,390; for 1696, 10,381.

An account of the nations of Indians residing in Maryland and under treaty with the Government, viz:—

The Emperor of the Nanticokes, which nation consists of ten towns; exact numbers unknown.

The King of Pocomoke. Exact number of towns unknown.

The Emperor of Piscattaway, including the Choptico and Mattawoman Indians, reckoned not to exceed eighty or ninety in number.

The Pamunkey Indians are also subject to this last.

Note inserted by Governor Nicholson. "The Eastern Shore Indians remove very often into Virginia and Pennsylvania, so that it is almost impossible to ascertain their numbers. But the Indians in these parts decrease very much, partly owing to small-pox, 'but the great cause of all is their being so devilishly given to drink.'"

Copies of certain transactions respecting Indians in the General Assembly, namely as to an offer of a treaty by the Senecas, Susquehannahs and Shawanoes, and as to encroachments by Delaware Indians from Pennsylvania.

A further list of the officers of Government, viz., Attorney-General, George Plater, Solicitor-General, William Dent; King's Counsel, Robert Goldsburrough.

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Commissioners of the Court of Chancery, Henry Jowles, Kenelm Cheseldyn, Edward Dorsey; Registrar, John Freeman. Judges of Admiralty, George Robotham, Nicholas Greenberry. Collectors, George Plater, George Muschamp, George Layfield. Naval Officers, Samuel Watkins, Henry Denton, John Tomson, Thomas Collier, William Dent, Robert King. Riding Surveyors of Customs, Henry Collier, Daniel Peirce. Recommended for vacancies in Council, Robert Quarry ("if he came to live here"), Henry Lowe, John Hammond and John Tasker, of the Provincial Court ("for if Chief Justice Robert Smith be removed, I do not know how to fill his place"), Edward Dorsey, William Frisby, Francis Jinkins, William Hatton, Thomas Smith. *Inscribed*, Recd. 21 June, Read 13 Aug., 1697. *The whole*, 10½ *pp. Entered in Board of Trade.* Maryland, 9. *pp.* 74-87.

864. III. Copies of several documents relating to privateers and runaway seamen.

Orders of Governor Nicholson to Captain Josias Daniel, H.M.S. Prince of Orange, and other of his officers to go by land to attack a privateer now lying in Delaware Bay. *Dated*, 13 October, 1696. Journal of Lieutenants William Ockman and Isaac Young, of H.M.S. Prince of Orange, on their voyage from Annapolis to Philadelphia. They embarked in a sloop at Annapolis on 14 October, went round by sea to French town on Elk River, where they landed, seized Captain Day, a privateer, and most of his officers, who were ashore at Newcastle, and then going on board his ship found that he had a commission from Governor Markham of Pennsylvania. However they placed the vessel in possession of Major Danielson, who presently came ashore and desired them to lay down their arms, as he feared the men might damage the town. The officers agreed, provided Danielson would produce the arms if asked for, for the people of the town had made the men drunk. The people showed great hostility, and Major Danielson said that if he had known of their coming he would have prevented their entering the town. Shortly afterwards one of the officers went to Philadelphia, where Governor Markham at first threatened to arrest him and the whole of his party, but became milder on seeing his commissions and orders. From information obtained in Philadelphia there was reason to believe that Day was countenanced by Governor Markham. On the officer's return to Newcastle, Danielson told him that eight of his men had run away.

Here follow further depositions, going to prove that John Day was a pirate; three letters from Francis Jones of Philadelphia to Governor Nicholson, together with further depositions to the same effect, also testifying to the seduction of seamen by Day, and to the protection given to runaway seamen by the Governor and

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Magistrates; a minute of the Maryland Council, 14 December, 1696, recommending that a report of these matters be sent home and that the opinion of the Grand Jury and County Courts should meanwhile be obtained thereon; three proclamations against the enticing away of inhabitants and the harbouring of runaway seamen; orders to the rangers to arrest any travellers without foreign passes; and a letter reporting the prevalence of illicit trade between Carolina and St. Thomas, West Indies. *The whole*, 33 *pp. Endorsed*, Recd. 21 June, Read 15 Oct., 1697.

864. iv. Copies of documents concerning the question of forfeited bonds.

Address of the House of Burgesses to the King. Praying him to save many of the merchants from ruin. Many of the ships formerly trading to Maryland did not give bond, but the masters persuaded the said merchants to become their securities that they should observe the Acts of Trade. The masters ungratefully and dishonestly neglected their promise, and judgment is now given against their securities. We believe most of these men to have been innocently seduced, and that they had no design of advantage to themselves.

Minute of the Committee of Grievances, 13 May, 1696, pointing out that the strictness of taking security from ships' masters is driving trade away. Message of the House of Burgesses, asking the Governor to represent this to the Commissioners of Customs.

Extracts of a message from the Burgesses to the Governor and Council, asking them to join in an address to the King for relief of several persons under penal navigation bonds.

Several orders of the Governor of Maryland in Council, respecting the strict enforcement of the Acts of Trade and Navigation; reports of the law-officers of Maryland as to the Act for regulating the Plantation Trade, and returns of the sheriffs upon the Governor's order respecting that Act. *The whole*, 9 *pp. Endorsed*, Recd. 21 June, Read 16 Aug., 1697.

864. v. A collection of lists of Navigation Bonds, 28 for which judgment has been obtained; 115 for which no certificates are produced; 19 for which no certificates are produced and on which declarations are drawn; 6 of which neither principals nor securities can be found; 60 for which legal certificates have been produced. *The whole*, 6 *large sheets*.

864. vi. Copies of several minutes of Council of General Assembly of Maryland, October, 1695, and March, May and July, 1696, respecting the maintenance of the Rangers. 3 *pp. Endorsed*, Recd. 21 June; Read 15 Oct., 1697.

864. vii. Records of the trial and condemnation of two women in Maryland, the one for murdering her bastard

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child, the other for murdering a negro boy. 1 *p.* *Endorsed*, Recd. 21 June, Read 16 Aug., 1697.

864. VIII. Copies of several documents respecting the unreadiness of the Maryland fleet to sail.

Petition of the merchant-captains to Commodore Charles Wager, asking for longer time to load the fleet, owing to the backwardness of the crop, the lack of seamen, owing to the desertion of many, and the encouragement given to such deserters in Pennsylvania.

Endorsement of the petition by the Justices of the Provincial Court, 4 December, 1696, by the Council, 11 December, 1696, and by the sheriffs and others in the counties, 19 March, 1697.

Copies of the minutes of Council of Maryland, 18, 19 and 21 February, 1697, concerning the delaying of the homeward-bound fleet, and the expediency of establishing a Maryland convoy apart from Virginia. 11 *pp.* *Endorsed*, Recd. 21 June, Read 16 Aug., 1697.

864. IX. Addresses of the Council and Burgesses of Maryland to the King. Congratulations on his good health and the success of his arms. *Copy.* 2 *pp.* *Endorsed.* [*Board of Trade.* Maryland, 3. *Nos.* 17 I.-IX.]

March 27. **865.** Memorandum of the receipt of an account of ships entered and cleared in Maryland from 1689 to 1696, enclosed in Governor Nicholson's letter of 27 March. [*Board of Trade.* Maryland, 3. *No.* 18.]

[March 27.] **866.** Memorandum of the names of the persons proposed by Governor Nicholson to fill vacancies in the Council of Maryland. ½ *p.* [*Board of Trade.* Maryland, 3. *No.* 19.]

March 27. Exon. **867.** The Mayor of Exeter to William Popple. In reply to yours of 16th it is presumed that all our ships from Spain or Portugal are already sailed for Newfoundland, and all now bound for Lix[a] are under their convoy, and as we believe might sail from Plymouth last Thursday. The public news informs us that a strong French squadron is departing by the 10th of April, so we beg that our designed convoy for retaking Newfoundland may be forthwith despatched, our fishing ships being ready manned and victualled to attend their coming down. The merchants desire to know for certain when they will come, and that one of the convoys may be ordered to call at our bar for such ships as are ready. *Signed*, Chr. Bale. ¾ *p.* *Endorsed*, Recd., Read, 29 March, 1697. [*Board of Trade.* Newfoundland, 3. *No.* 67.]

March 27. Jamaica. **868.** Extract from a letter from Sir William Beeston to William Blathwayt. The advice that we had of Pointis's fleet from our hills was a mistake. Our sloop that watches his fleet saw the whole twenty-six sail at anchor at Cape Tiburon on the 19th inst. and after sending me notice sailed back again to watch them, but on reaching Tiburon on the 24th found them all gone. We conclude therefore that they are gone to Porto Bello, from whence the Admiral of the galleons has written to ask me for more intelligence. I have sent his sloop back to him with all haste in

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the hope that she may arrive in time to enable them to place themselves in a posture of defence, for they had done little when she came away. We were as well prepared for them as we were able. The ships of war, posted to the best advantage, and the six fire-ships by them, lay ready at the entrance of the harbour; and the ships, Fort Charles, and the lines on shore could have brought about two hundred guns to bear on them. If they had attempted the fort I am in hopes that our fire-ships, if successful, might have destroyed them, or at least we should have galled them that they would have had little stomach to have attempted a landing on the main island. But it is best that we have missed them, for our men are but few, and we cannot well spare them; but how now to pay the charge it has cost us I cannot see by any means, for owing to our being so constantly harassed by them there is no trade and therefore little revenue. To call an Assembly to raise the money will be to little purpose, for since no ships come to bring us supplies or take away our produce, this will be an excuse to them to refuse raising anything. *Copy.* 1 *p. Endorsed*, Recd., Read, 7 June, 1697. [*Board of Trade.* Jamaica, 8. *No.* 47; *and* 56. *pp.* 106-107.]

March 27. **869.** Minutes of Council of Jamaica. James Bannister summoned to attend next Council and be sworn of the Council. Orders for discharge of all the fire-ships excepting two, for the accounts of the late preparations to be audited, for the provisions that have been taken up to remain in the Commissary's hands for one month longer, for the King's arms and money to be brought in by those to whom they have been given, for a proclamation to regulate the sale of provisions, for the embargo on shipping to be removed, for an abstract of the debts and credit of the revenue to be prepared, for the payment of workmen employed during the late preparations, for £150 of the King's bounty-money to be distributed among the poor people to Windward, and for martial law to cease in a week. Order for payment of a quarter's salary to the Governor, and of half a year's salary to the gunner, and for the Court-house to be fitted up. [*Board of Trade.* Jamaica, 79. *pp.* 59-63.]

March 27. **870.** Minutes of Council of Barbados. Another sloop hired to cruise for discovery of the enemy. A draft answer to the officer in the French flag of truce was read and approved. [*Board of Trade.* Barbados, 65. *pp.* 199-200.]

March 28. Plymouth. **871.** Captain St. Lo, R.N., to William Popple. I forward the receipt for the packet for Lieutenant-Governor Stoughton. The ship sailed to-day in company with one of the King's hired ships, which I hope will ensure her getting safe out of the channel. The Captain has orders to sink the dispatches rather than let them fall into the enemy's hands. *Signed*, G. St. Lo. 1 *p. Enclosed*,

871. I. Receipt of John Bavincott, master mariner, for a packet addressed to Lieutenant-Governor Stoughton. *Scrap. The whole endorsed*, Recd. 31 March. Read, 1 April, 1697. [*Board of Trade.* New England, 8. *Nos.* 79, 79 I.]

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March 28. Bideford. **872.** Richard Usticke to Council of Trade and Plantations. I enclose a petition from the merchants, also a letter from Mr. Davie, our most eminent merchant here, complaining of the hardship done to him in impressing one of his men. *Signed*, Richard Usticke. ½ *p.* *Endorsed*, Recd. 31 March, Read 1 April, 1697. *Enclosed*,

872. I. Petition of merchants of Bideford trading to Newfoundland to Council of Trade and Plantations. We have several ships awaiting the arrival at Milford of H.M.S. Crown, which is charged to convoy them to Waterford and thence to Newfoundland. We hear that the French are sending out a considerable squadron of land-forces to keep Newfoundland from us, being designed to sail at the beginning of April. We beg that the ships and forces from England designed to retake Newfoundland and to secure our ships may be departing before our fishing-ships sail from Waterford. The season is far advanced, and if our fishing-ships arrive at Newfoundland before the men-of-war, they may fall a prey to the French. *Nineteen signatures.* 1 *p.* *Endorsed*, Read 1 April, 1697.

872. II. John Davie to Richard Usticke, Bideford, 28 March, 1697. On my petition to the Admiralty that the seamen and others belonging to any ships fitting out for Newfoundland might not be impressed, the Secretary, Mr. Bridgeman, wrote to me that there was a general order against impressing such men. Yet, though I showed this order to Mr. John Power, he yesterday pressed a man belonging to one of the ships bound to Newfoundland, a fellow who was never at sea. If it be allowed that our men are liable to be impressed there is no hope of getting men to send on the voyage. Please acquaint the Council of Trade hereof and obtain relief. *Signed*, John Davie. ¾ *p.* [*Board of Trade.* Newfoundland, 3. *Nos.* 68, 68 I., II.]

March 29. Custom House. **873.** John Sansom to William Popple. After perusal of yours of 23rd inst. (*No.* 844) the Commissioners of Customs are disposed to restore to John Graves his commission, if the Council of Trade has no objection. [*Board of Trade.* Proprieties, 25. *p.* 61.]

March 29. **874.** Journal of Council of Trade and Plantations. Order for a letter to be written to Mr. Randolph (*see No.* 885).

Mr. Sansom's letter of this day read (*No.* 873), and Mr. Bulkley and Mr. Graves both being present, the former's complaints were heard, and the Secretary was directed to write to Mr. Sansom thereupon (*No.* 877). Captain Webb attended and produced a minute of the Privy Council of 25th inst. (*No.* 855), which he desired to be printed in the Gazette. The Secretary was directed to give thereof to Mr. Yard, and acquainted Captain Webb of the article in the address of the House of Lords that he might acquaint the Proprietors of the Bahamas thereof.

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The draft circular in conformity with the address was considered, and the Secretary directed to ask the Attorney General for the form of a bond.

Mr. Nelson attended on the question of the English title to Port Royal in Nova Scotia, and promised to put his information into writing.

Mr. Blathwayt acquainting the Council of the King's resolve that the whole of the Newfoundland fleet should sail together, the Council immediately wrote to Sir William Trumbull upon the matter of victualling the forces (*No.* 875). The Mayor of Exeter's letter of 27th received (*No.* 867), and an answer to it deferred.

The New York Agents reported that they could get no money from the Commissioners of Sick and Wounded for their Indians, and asked the Council for a recommendation to admit them to a sight of the ships at Chatham, since they were shewing them the most remarkable sights of the city. The Secretary accordingly drew up a paper for them. [*Board of Trade.* Journal, 10. *pp.* 49-52.]

March 29. Whitehall. **875.** Council of Trade and Plantations to Secretary Trumbull. We have received the King's orders that all the men-of-war for Newfoundland shall sail together. We must point out that at present, upon the supposition of the squadron's being divided, the victuallers have been ordered to supply but three months' provisions for the 450 foot soldiers and 60 artillerymen in the transports, and that it was intended to send nine months' provisions by the last ships of the squadron to serve that number of men so many months longer, for probably at least that number will be left at Newfoundland for the winter. We beg you to represent to the King the need of sending a further supply of provisions with the squadron, or later on with a sufficient convoy, which latter we conceive will be more expensive and more hazardous. *Signed,* J. Bridgewater, Wm. Blathwayt, Jno. Pollexfen, Abr. Hill. [*Board of Trade.* Newfoundland, 25. *pp.* 103-104.]

March 30. **876.** Gilbert Heathcote to William Popple. The bearer, Mr. Yellowton, would gladly send sixty or eighty of his men in the Chatham, man-of-war, to Jamaica. They are tradesmen, and would be valuable to the island by their trades as well as by their help, so it were to be wished that their free passages could be secured in the man-of-war. He will send them himself to the Downs. *Signed,* Gilbert Heathcote. ½ *p. Endorsed,* Recd., Read, 31 March, 1697. [*Board of Trade.* Jamaica, 8. *No.* 51; *and* 56. *p.* 85.]

March 30. Whitehall. **877.** William Popple to John Sansom. With reference to yours of 29th inst. (*No.* 873), the Council of Trade having enquired in some measure into Thomas Bulkley's allegations against John Graves, have received no such proof of them as to disqualify Mr. Graves from holding the place to which the Commissioners of Customs had appointed him. [*Board of Trade.* Proprieties, 25. *p.* 63.]

March 30. Whitehall. **878.** William Popple to the Attorney General. The House of Lords has addressed the King to ask that the Proprietors of the Colonies to which he does not nominate a Governor, may be required

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to give security that the Governors appointed by them shall obey all royal instructions respecting the Acts of Trade and Navigation. Please draw up a form of bond for such security. [*Board of Trade.* Proprieties, 25. *pp.* 62-63.]

March 30. Virginia. **879.** Clerk of House of Burgesses of Virginia to Council of Trade and Plantations. Forwarding the journal of the House of Burgesses during the session begun 24 September, 1696, and duplicate of the journal for the session begun 23 April, 1695. *Noted in the margin,* "I suppose it should be 1696. W. P." ½ *p. Endorsed,* Recd. 21 June, Read 20 Aug., 1697.

Duplicate of the foregoing, addressed to the Duke of Shrewsbury. *Endorsed,* Recd. 21 June, Read 23 Aug., 1697. [*Board of Trade.* Virginia, 6. *Nos.* 12, 13.]

March 30. Annapolis. **880.** Governor Nicholson to the Duke of Shrewsbury. I thank you for your gracious letter of 14 January, 1696. I hope I may never do anything to make you withdraw your protection from me. I send copies of several papers, and Colonel Quarry, who bears this, can give you full information as to privateers and illegal trade. If you have a mind for any rarities from these parts, as plants, seeds, etc., I shall think it an honour to send them. *Signed,* Fr. Nicholson. 1 *p.* [*America and West Indies.* 558. *No.* 2.]

March 30. **881.** Journal of General Assembly of Massachusetts. Votes for payment of £1 13*s.* 0*d.*, for entertainment of a Committee of the General Assembly, of £15 18*s.* 0*d.* to Elizabeth Stover, of £30 a year to Captain Ephraim Savage as one Commissioner of Debentures, and of £70 a year to Major John Walley as a second Commissioner and also Commissioner for War, agreed to. Committee sanctioned to examine the accounts of the prison-keeper in Boston. Captain William Bassett's petition on behalf of the town of Sandwich referred to the Assembly to be held in May.

March 31. Voted in concurrence with the Representatives that the Treasury give credit for certain unendorsed bills, and that applications be made to Connecticut and Rhode Island for men, money and provisions for the war, and that £65 13*s.* be allowed to Major Benjamin Church for his service with the forces last summer. Order for reprinting certain Acts for suppression of vice, sent down to the Representatives and concurred with. Votes for a few small payments received from the Representatives, and agreed to. The Lieutenant-Governor then dissolved the Assembly. [*Board of Trade.* New England, 48. *pp.* 132-138.]

March 31. **882.** Minutes of Council of Virginia. The Governor put off the Council, there being a meeting of the College this day. The Sheriff of James City was appointed to attend next General Court, with his officers. [*Board of Trade.* Virginia, 53. *p.* 57.]

March 31. **883.** Minutes of Council of Barbados. Ordered that as soon as H.M. ship Colchester shall arrive from the Leeward Islands, from which her speedy despatch has been promised, the fleet of merchantmen may depart under convoy of the King's frigates, and are hereby directed to be ready. [*Board of Trade.* Barbados, 65. *p.* 200.]

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March 31. **884.** Journal of Council of Trade and Plantations. Mr. Gilbert Heathcote's letter of yesterday read (*No.* 876). Order for a representation to be drawn accordingly.

Mr. Bulkley presenting another petition similar to the last, he was informed that he must seek redress against Mr. Graves by legal process, but that on other matters a letter should be written to quicken the Proprietors of the Bahamas in answering the question put to them. Mr. Graves presented a paper as to the present state of the Bahamas, which was read.

Lord Bellomont's Commission as Governor of New Hampshire agreed upon, and a copy ordered to be sent to him, with an intimation that none of his Commissions should be laid before the King until he should move about them, but that they had better be passed as soon as possible.

April 1. Commissioner St. Lo's letter of 28 March read (*No.* 871).

Mr. Usticke's letter of 29 March and its enclosure read (*No.* 872). Order for a copy of Mr. Davie's letter to be sent to the Admiralty, and directions given for a reply to Mr. Usticke.

Letter to the Duke of Shrewsbury as to emigrants for Jamaica signed (*No.* 886). [*Board of Trade.* Journal, 10. *pp.* 52-55.]

April 1. Whitehall. **885.** William Popple to Edward Randolph. Since you are returning to America, the Council of Trade, being sensible of your great knowledge and experience in all matters relating to the advantage of the Plantations, desire you from time to time to give an account of whatsoever you shall judge proper for their knowledge. [*Board of Trade.* Plantations General, 34. *p.* 138.]

April 1. Whitehall. **886.** Council of Trade and Plantations to the Duke of Shrewsbury. The following report (*see next abstract*) was to have been presented to the King this afternoon, if a Council had been held. Since a speedy decision is necessary, please lay it before the King for his orders. *Signed*, J. Bridgewater, Ph. Meadows, Wm. Blathwayt, John Pollexfen, Abr. Hill. [*Board of Trade.* Jamaica, 56. *p.* 85.]

April 1. Whitehall. **887.** Council of Trade and Plantations to the King. We have before represented to you the want of inhabitants in Jamaica. We are now informed by the Agents of the Island that Mr. Jeffery Yellowton has prevailed with sixty or eighty laborious tradesmen to be transported thither, provided they may have their passage and provisions at your charge in one of the men-of-war bound thither. We recommend that these men may be so transported, provided that it does not delay the sailing of the ship. *Signed*, J. Bridgewater, Ph. Meadows, Wm. Blathwayt, John Pollexfen, Abr. Hill. [*Board of Trade.* Jamaica, 56. *p.* 86.]

April 2. Dartmouth. **888.** John Whitrow to William Popple. By last post one of the Council of Trade informed me that the Newfoundland convoy would sail very speedily, and that one man-of-war would go before to collect the outward-bound ships from the Western ports at Plymouth, there to await the coming of the rest, if they were not already gone thither. Our ships have been ready for some time and only await a convoy to Plymouth, since it is very dangerous

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for them to sail alone, many ships having been lately surprised in their passage thither. It seems very long before our ships are gone, for it is high time that they were on their way to Newfoundland. *Signed*, John Whitrow, jun. 1 *p.* *Endorsed*, Recd., Read 5 April, 1697. [*Board of Trade.* Newfoundland, 3. *No.* 69.]

April 3. **889.** Minutes of Council of Barbados. Two merchant ships were hired to go out with the frigates against the French ships lying off the island. Orders for payments on account of military and naval services. Proclamation that seamen freely going on board the ships shall receive reward and competent provision if they be wounded or disabled. Order for seventy of the King's soldiers to be put on board the ships. Order as to hiring and victualling of sloops for the island's service, and for payment of £10 table-money to the King's captains. [*Board of Trade.* Barbados, 65. *pp.* 200-201.]

April 3. Whitehall. **890.** Duke of Shrewsbury to Council of Trade and Plantations. Your memorial of 1st inst., respecting the tradesmen to be sent to Jamaica, has by the King's command been sent to the Admiralty with orders to comply with what is desired as far as they possibly can, and give the necessary directions accordingly. *Signed*, Shrewsbury. ¼ *p.* *Endorsed*, Recd., Read 5 April, 1697. [*Board of Trade.* Jamaica, 8. *No.* 52; *and* 56. *p.* 87.]

April 3. **891.** Earl of Bellomont to William Popple. I have perused and examined the three commissions sent to me, and find nothing to except against but that in the commission for New York one power possessed by Colonel Fletcher is left out, viz. that of suspending Patent Officers in case of misbehaviour. If this clause be omitted after deliberation, I submit to the Council's decision, otherwise I think I might as well be trusted with it as Colonel Fletcher, though I hope I shall always be cautious in the exercise of it. If the clause be inserted in the New York commission, the same reason will hold good for the other commissions. I see no reason why Patent Officers should be exempted from the Governor's power of suspension any more than Councillors; and it may happen that it may be more needed in the case of a Patent Officer, for, supposing that such a one is accountant to the King and be proved guilty of embezzling the revenue, what can be more criminal or better deserving of suspension? I put this case only by way of supposition. Pray move the Council to make my commission for New Hampshire part of that for Massachusetts or for New York, which I presume may be done by a distinct clause in either commission. I venture to think that my powers may be well enough expressed in such a clause, and I am sure that my charge will be thereby abridged; but I acquiesce in all things in the Council's pleasure. I intend to wait on the Council with a memorial between this and next Wednesday, and I hope that in the meantime I may have copy of my instructions, that I may insert any suggestions arising therefrom in the said memorial. *Signed*, Bellomont. 1½ *pp.* *Inscribed*, Recd., Read 5 April, 1697. [*Board of Trade.* New England, 8. *No.* 80.]

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April 3. **892.** The Solicitor General to Council of Trade and Plantations. With reference to the laws of New York referred to me by Mr. Popple's letter of 28 December last, I have considered the said laws and report as follows. *Here follows a complete list of the Acts with a short paragraph describing the purport of each.* I conceive all these Acts to be agreeable to law and not prejudicial to the Royal prerogative, with the following exception. That for declaring the rights and privileges of the inhabitants of New York, declares the rights of the Representatives are to be freedom from arrest during the Assembly except in cases of treason and felony. I suggest that breach of the peace should also be excepted. In the Act to restrain pirates the statute of Henry VIII. is wrongly quoted. There are also two private Acts as to which I can give no opinion, having no one to give me satisfaction as to the truth of the matters therein suggested. *Signed*, Jo. Hawles. 7 *pp. Endorsed*, Recd. 7 April, 1697. [*Board of Trade.* New York, 7. *No.* 16; *and* 52. *pp.* 95-111.]

April 4. Bideford. **893.** Richard Usticke to William Popple. Yours of 1st inst. has been communicated to the merchants, who are mighty concerned at intelligence of thirty ships of force being gone to Newfoundland from France. Notwithstanding their vast charge in equipping ships, getting letters of marque, etc., I fear they will hardly adventure that way this year, the more so since they are informed that the Crown is still at Plymouth, and is not yet victualled for her own company. They believe that if the French fortify Newfoundland it can hardly be recovered, so they fear that most considerable trade and nursery for seamen is quite lost. However Mr. Davie (being unwilling after such expense to keep all at home) would adventure one ship of 24 guns with the grand fleet, if any goes, and would be glad to know in what English port it will rendezvous. *Signed*, Richd. Usticke. 1 *p. Endorsed*, Recd. 7, Read 8 April, 1697. [*Board of Trade.* Newfoundland, 3. *No.* 70.]

April 5. **894.** Memorial of merchants and others concerned in New England to Council of Trade and Plantations. New England having been depopulated, brought into a miserable condition by the war, and unable without succour from England to resist the growing power of France, we support the following measures as absolutely necessary to hearten the people, secure the trade and prevent the total loss of the Colonies. A Governor should be sent out with a thousand men, well provided with arms and ammunition, over and above those already at New York. Also there should be sent out sixty cannon (many of those in the forts being defective) with ammunition for them and for those already in the forts, four frigates (a third-rate, a fifth-rate, and two fourth-rates) and a fire-ship, besides the small frigates already on the station, which are too weak to deal with the men-of-war lately sent by the French King. In the winter, when the frigates are generally laid up because they cannot cruise, some of them should be employed to convoy ships to the West Indies. A great many inhabitants of New England have been pressed on board men-of-war from ships arriving from thence, whereby their families have been brought to great distress and the country's trade almost

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stopped for want of seamen. Care should be taken for the protection of those seamen in England and for their return to the Colonies. Many seamen have also deserted from men-of-war and other ships to Rhode Island, where they have been protected and have gone on piratical voyages. Care should be taken to prevent this practice. Certain persons have lately petitioned for a charter for working copper mines in New England. Their petition was rejected in King James's time and in the present reign, but they are again endeavouring, under pretext of supplying naval stores, searching for copper and establishing a fishery, to monopolise the whole trade of New England to the ruin of the country and people. No charter should be granted until the merchants and Assembly of New England have had the opportunity of giving their reasons against it. Convoys have lately been appointed for mast-ships only and not for others, though of much greater value and importance to the Crown; they should be chargeable with the protection of other ships to or from New England. New England, New York and other Colonies should be united, and no duty or imports paid upon goods or merchandise passing from one Colony to another. Finally, we think it would be much for the honour of the Crown and for the interest, trade and security of all the plantations in America if Canada, the fountain of all the miseries of New England, were reduced. *Fifty-nine signatures. Large sheet. Endorsed*, Recd., Read 5 April, 1697. [*Board of Trade.* New England, 8. *No.* 81; *and* 36. *pp.* 149-151.]

April 5. **895.** Earl of Bellomont to William Popple. The enclosed memorial contains every suggestion that I can think of. I will wait on the Council on Wednesday or Thursday morning to know how they approve of it. Colonel Fletcher's Agents tell me that it is absolutely necessary to send recruits to complete the four hundred men in the King's pay in New York, as also that their pay should for the future be made English pay, which would be a means to prevent them from deserting, as the Agents say that they now do. If the King agree as to the pay, then the chaplain, surgeon and gunners will be deprived of the pay which they now receive; part is supplied out of the difference of exchange between New York and English money. Pray propose to the Council how the chaplain, surgeon and gunners shall be maintained. *Signed*, Bellomont. 1 *p. Enclosed*,

895. 1. Memorial of the Earl of Bellomont to Council of Trade and Plantations. I shall not trouble you with any requests for supplies of ships, men and stores of war, as I understand that these matters have already been represented to you by the merchants and by the Agents for the Colonies. Pray move the King for a good fourth-rate ship to transport me and my family, and for the transport of my goods in another ship. I hear that H.M.S. Fowey is ordered immediately to New York to relieve the Richmond. Pray move that she may be stopped in order to be joined by the other ships appointed for me, for my greater security. I beg you to propose to the King such a salary as you think suitable

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to the dignity of the Governments and to the support of the necessary charge. 1½ *pp.* *The whole endorsed,* Recd. 6th, Read 7th April, 1697. [*Board of Trade.* New England, 8. *Nos.* 82, 82 I.]

April 5. **896.** Journal of Council of Trade and Plantations. Lord Bellomont's letter of 3rd inst. to the Secretary read (*No.* 891). The Secretary was directed to answer that the Council was ready to meet his wishes, and desired him to draw up a clause joining the commission for New Hampshire to one of the others.

Four letters from the Governor of New York of 23 November and 15 December, received and read.

Mr. John Whitrow's letter of 2nd inst. read (*No.* 888). Mr. Cary desiring that H.M.S. Crown might be directed to stay longer than had been proposed at Waterford, was directed to speak with Mr. Hammond. Order for payment of £6 for two maps of Newfoundland.

Order for copies of certain of Mr. Penn's papers to be made.

The gentlemen interested in the trade of New England attended and presented a memorial (*No.* 894), to which they added many things in discourse, insisting chiefly on the need for a reformation of the Government of Rhode Island, which was a nest of pirates.

The Duke of Shrewsbury's letter of 3rd inst. as to sending tradesmen to Jamaica read (*No.* 890). Order for the contents to be communicated to Mr. Gilbert Heathcote.

Order for the Secretary to write to Mr. Micaiah Perry as to the Virginia fleet and ask for his suggestions. [*Board of Trade.* Journal, 10. *pp.* 56-59.]

April 6. Admiralty Office. **897.** William Bridgeman to William Popple. The men-of-war designed for Newfoundland are all at Spithead, ready to proceed. Pray inform the Council of Trade. *Signed,* Wm. Bridgeman. ½ *p.* *Endorsed,* Recd., Read 7 April, 1697. [*Board of Trade.* Newfoundland, 3. *No.* 71; *and* 25. *p.* 104.]

April 6. Whitehall. **898.** William Popple to Gilbert Heathcote. Upon the perusal of yours of 30 March a representation to the King was immediately prepared, dated 1 April (*No.* 887). The Duke of Shrewsbury answers that the King has given orders to the Admiralty to comply as far as possible with the recommendation for the transport of the tradesmen for Jamaica on board one of the men-of-war. What more may be needful is remitted to your care. [*Board of Trade.* Jamaica, 56. *pp.* 87-88.]

April 7. **899.** Draft of a clause for the prevention of stock-jobbing, to be inserted in the charter of the Company for working copper-mines in New England. 1 *p.* *Endorsed,* Presented by Dr. Cox, Colonel Lidgett, etc. Recd., Read 7 April, 1697. [*Board of Trade.* New England, 8. *No.* 83.]

April 7. **900.** Memorial of the Virginia merchants to Council of Trade and Plantations. By our advices we have reason to think that our fleet from Virginia and Maryland sailed at the end of February and so may be daily expected. At the end of February we informed the Admiralty that we had received such advices and prayed that a

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squadron might be sent to meet them for their safety; since which we have learned (by letters from France as also from masters of ships and others lately come from thence) that there is a great equipment of ships in France to intercept our fleet. We have represented this to the King and to the Admiralty, who promised to send out ships as soon as possible, though want of provisions has prevented it from being done sooner. We beg your further interposition on our behalf, that the ships may be hastened and may be ordered to cruise until they meet with our fleet and bring them in safely. *Signed*, Micaiah Perry, *and by seven others.* 1 *p. Endorsed*, Recd. and Read, 7 April, 1697. *Attached*,

900. I. Extract from a letter from France, 24 March, 1697. Feeling sure that you and your friends are interested in the fleet expected from Virginia, I think fit to advise you that a squadron is fitting out in our ports to intercept it. The recent capture of two small vessels from thence, which had a considerable sum of money on board, has encouraged the fitting out of these ships. Therefore take your measures. You may depend upon this information, for I have it from a good source. *Memo.* The two brigantines here mentioned had a considerable parcel of the gold that was taken by Every and his crew on board. *French, with an English translation below.* 1 *p. Endorsed*, Recd. and Read 7 April, 1697. [*Board of Trade.* Virginia, 6. *Nos.* 14, 14 I.; *and* 37. *pp.* 31, 32.]

April 7. Whitehall. **901.** Council of Trade and Plantations to the Duke of Shrewsbury. We have received a memorial from the merchants trading to Virginia and Maryland (*see No.* 900), which we beg you to lay before the King. The Virginia and Maryland fleet according to the best information consists of near 150 vessels, whereof about fifty are of between four and five hundred tons, loaded with from seventy to eighty thousand hogsheads of tobacco. This will give the King £200,000 in customs, and to the country a much greater profit by exportation. Please point out to the King that the squadron sent to guard this fleet will be of equal security to the West Indies and Canary fleet. *Signed*, Tankerville, Phil. Meadows, Wm. Blathwayt, Jno. Pollexfen, Abr. Hill. [*Board of Trade.* Virginia, 37. *p.* 33.]

April 7. Whitehall. **902.** William Popple to the Secretaries of the Admiralty. With reference to Mr. Bridgeman's letter of yesterday, the Council of Trade desire to know how many men-of-war are ready at Spithead, their names, and how many land-forces they can conveniently carry. [*Board of Trade.* Newfoundland, 25. *p.* 104.]

April 7. Admiralty Office. **903.** J. Burchett to William Popple. The ships at Spithead ready to proceed to Newfoundland are the Monk, Lion, Guernsey and Portland, fourth rates; the Lyme, Mary, galley, Suffolk and Hunter (fire-ships), fifth rates; Seahorse and Dunwich, sixth rates; Comet and Blunt, bombs; the Etna fire-ship is ordered from Plymouth to Spithead. My Lords believe they can carry between seven and eight hundred soldiers, and they think that a paper concerning

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their distribution has been given to Mr. Blathwayt. *Signed*, J. Burchett. ½ *p. Endorsed*, Recd. Read, 8 April, 1697. [*Board of Trade.* Newfoundland, 3. *No.* 72; *and* 25. *p.* 105.]

April 7. **904.** Journal of Council of Trade and Plantations. Mr. Bridgeman's letter of yesterday as to the Newfoundland squadron read (*No.* 897). Orders for the Secretary's reply (*No.* 902). Mr. Mandit suggesting that 500 men, who had been expelled from Newfoundland, would be very serviceable in retaking it, the Council informed him that they had considered the subject, but would gladly hear one whom he recommended to them as possessing further information.

The Acts of New York were received back from the Solicitor General.

The Virginia merchants presented a memorial, on which the Council immediately wrote a letter to the Duke of Shrewsbury (*Nos.* 900, 901).

Lord Bellomont's memorial of 5th inst. read (*No.* 895). The Secretary was directed to inform him that it was important to settle the drafts of the commissions as soon as possible, and that he was desired to offer his opinions as to the question of his salary in New York and Massachusetts.

The gentlemen interested in mines in New England brought up the draft of a clause against stock-jobbing, and one of them produced specimens of pure native copper from his pocket, while another said that he had seen copper-ore melted and purified in New England.

April 8. Mr. Burchett's letter of yesterday read (*No.* 903). Order for advice thereof and of Colonel Gibsone's departure to be sent to all the outports. Mr. Usticke's letter of 4th inst. read (*No.* 893). Order for it to be answered as above expressed. Colonel Gibsone came to take leave, when the Council communicated the aforesaid letter to him, and wished him success.

Orders given for the Secretary to write to the Attorney-General as to bonds to be given by Proprietors of Plantations (*No.* 908).

Letter of this day from Lord Bellomont read, and a representation drawn and signed thereupon (*Nos.* 909, 910).

On the application of the New York Agents, the Secretary was ordered to write to the Admiralty about a passage for the two Indians to New York.

April 9. The Duke of Shrewsbury's letter of yesterday as to the memorial of the Virginia merchants read (*No.* 905).

Order for the Secretary to write again to Mr. Thornburgh as to the business of the Bahamas, and threaten to report the Proprietors to the King unless they answer.

Draft bond for the Proprietors of Plantations received from the Attorney-General.

Mr. Nicoll presented the two Mohawk Indians to the Council.

Order for a letter to be written to the Secretaries of the Admiralty as to the Newfoundland convoys (*No.* 907). [*Board of Trade.* Journal, 10. *pp.* 57-67.]

April 8. Hyde Park. **905.** The Duke of Shrewsbury to Council of Trade and Plantations. I have acquainted the King with your letter of the

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7th and the memorial of the Virginia merchants (*see Nos.* 900, 901), and by his command have sent them to the Admiralty and recommended the matter to their care, though the King has no doubt that they have already ordered out a squadron to secure the Virginia trade. *Signed*, Shrewsbury. ¼ *p. Endorsed*, Recd. 8 April, Read 9 April, 1697. [*Board of Trade.* Virginia, 6. *No.* 15; *and* 37. *p.* 34.]

[April 8.] **906.** Distribution of the land forces in the fleet bound to Newfoundland, thirteen ships in all, of which three carry 100 men, two 90 men, two 50 men and six 30 men apiece. Total, 760 men. 1 *p. Endorsed*, Recd. 8 April, 1697. [*Board of Trade.* Newfoundland, 3. *No.* 73.]

April 8. Whitehall. **907.** William Popple to the Mayors of Bristol, Exeter, Plymouth, Dartmouth, Weymouth, Poole, Bideford, and Barnstaple. The squadron designed for Newfoundland is actually at Spithead, and Colonel Gibsone is gone down to Portsmouth to embark and to sail by first fair wind. H.M.S. Crown will, I hope, be at Milford in time enough to follow after. [*Board of Trade.* Newfoundland, 25. *p.* 106.]

April 8. Whitehall. **908.** William Popple to the Attorney-General. Asking that the form of bond asked for in his letter of 30 March (*No.* 878) may be despatched, as also the Acts of Massachusetts sent to him for his opinion. [*Board of Trade.* Proprieties, 25. *p.* 64.]

April 8. **909.** Earl of Bellomont to William Popple. I return the copies of the three commissions, and have nothing to suggest except that the clause empowering me to suspend Patent Officers should be inserted in the body of the commission rather than in the instructions. The matter seems to me to belong rather to a commission than instructions, and there is a precedent in Colonel Fletcher's commission. If the Council agrees, the clause may be ready to be laid before the King in Council this evening, and I am very desirous that the King may see that something is doing towards my despatches. I am willing to submit to the Council's pleasure as to the Governments of Massachusetts and New Hampshire being put into one commission. To-morrow I will give the Council my thoughts on my draft instructions for New York. *Signed*, Bellomont. 1 *p. Endorsed*, Recd. Read 8 April, 1697. [*Board of Trade.* New England, 8. *No.* 84.]

April 8. Whitehall. **910.** Council of Trade and Plantations to the King. Submitting draft commissions to Lord Bellomont as Governor of New York, Massachusetts and New Hampshire, and as Commander-in-Chief also of all the forces in Connecticut, Rhode Island and the Jerseys. *Signed*, J. Bridgewater, Ph. Meadows, Wm. Blathwayt, Jno. Pollexfen, Abr. Hill. [*Board of Trade.* New England, 36. *p.* 152.]

April 8. Whitehall. **911.** Order of the King in Council. Approving the draft Commissions of Lord Bellomont, as in preceding abstract. *Copy.* 1 *p. Endorsed*, Recd. Read, 19 April, 1697. [*Board of Trade.* New England, 8. *No.* 85; *and* 36. *p.* 158.]

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April 8. Kensington. **912.** Order of the King in Council. On the petition of Gilbert Heathcote, praying the royal assent to two Bills concerning the estates of William Truxton and John Childermas, the said bills are referred to the Council of Trade for report. *Signed*, Wm. Bridgeman. ½ *p. Endorsed*, Recd. Read, 14 April, 1697. [*Board of Trade.* Jamaica, 8. *No.* 53; *and* 56. *p.* 91.]

April 8. **913.** Minutes of Council of Massachusetts. On the petition of John Usher, the custody and management of his insane brother's estate was entrusted to him, on condition that he present accounts thereof to the Council. Order for payment of £10 to Richard Honnywell, disabled by wounds received in the service of the Colony. Order for the Treasurer to accept and pay all notes or debentures, to the value of £2,000, drawn upon him by the Commissioners for war and provisions. Order appointing a fast day, and that John Danforth preach to the General Assembly on the last Wednesday in May next. [*Board of Trade.* New England, 49. *pp.* 79-81.]

April 9. **914.** The Attorney-General to Council of Trade and Plantations. I have perused twenty Acts of the Assembly of Maryland (*list given*) which have been submitted to me. I find nothing to object to therein, except that the Act for Appeals and for regulating writs of error confines appeals to the King in Council to cases in which £300 or more is in question, which ought not to be, unless this is agreeable to their charter. It should be considered also how far the Act for impost on certain exports may affect the King's customs, as also the duty of 10 *per cent.* on English goods re-exported. There are also two Acts to revive expiring Acts, on which I can form no judgement, not having the expiring Acts before me. I have also examined nine Acts (*list given*) passed in Jamaica between March and August, 1695, and find nothing to object except that in two private Bills there is no clause to save the rights of strangers, nor in one of them a clause to save the King's rights, as there should be. *Signed*, Tho. Trevor. 2½ *pp. Endorsed*, Read 26 April, 1697. [*Board of Trade.* Jamaica, 8. *No.* 54; *and* (*so far as relates to Jamaica*) 56. *pp.* 92-93.]

April 9. **915.** The Attorney-General to William Popple. Forwarding the form of bond required in his letter of 30 March (*No.* 878). *Signed*, Tho. Trevor. ¼ *p. Endorsed*, Recd. Read, 9 April, 1697. *Enclosed*,

915. 1. Form of bond to oblige Proprietors of Plantations to cause their Deputy-Governors to obey the King's orders as to the Acts of Trade. 1½ *pp.* [*America and West Indies.* 601. *No.* 43, 43 1.; *and Board of Trade.* Proprieties, 25. *pp.* 65-66.]

April 9. **916.** Earl of Bellomont to William Popple. Among my instructions as Governor of New York is one which might be reasonable if I were Governor of New York only, but which (as I am also to be Governor of New England and New Hampshire) would be a manifest hardship to me. I mean that which obliges me to give half my salary and perquisites to my Lieutenant-Governor during my absence from New York. The Council will, I think,

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grant that this would be unreasonable in my case, for my duty may call me sometimes into the other provinces, and it is hard that I should suffer for doing my duty. As to the salary, I should content myself with the salaries that other Governors had, and particularly Sir Edmund Andros, who was the last that held the three Governments to which I am now appointed. What Sir Edmund's salary was, I must leave to the Council's enquiry. Mr. Nicoll, one of the New York Agents, tells me that a new Great Seal is wanted, the old one bearing the effigies both of the King and of the late Queen. I am apt to believe that new seals will be wanting also in New England and in New Hampshire, since the latter is to be a distinct Government. *Signed*, Bellomont. *Endorsed*, Read, 12 April, 1697. [*Board of Trade.* New England, 8. *No.* 86.]

April 9. Whitehall. **917**. William Popple to the Secretaries of the Admiralty. The Mayors of the western ports have been informed of the readiness of the squadron at Spithead. Let me remind you of what I wrote on 16th ult. about a frigate to call at Topsham and Dartmouth and take on the ships that are ready to Plymouth, which will be the squadron's last rendezvous. [*Board of Trade.* Newfoundland, 25. *pp.* 106-107.]

April 10. Admiralty Office. **918**. J. Burchett to William Popple. In reply to yours of the 9th, two ships of the Newfoundland squadron have orders to fetch the ships from Poole and Weymouth to Spithead, and those from Topsham and Dartmouth to Plymouth, where the squadron will call for them. They sailed for this purpose from Spithead on the 8th inst. *Signed*, J. Burchett. ½ *p. Endorsed*, Recd., Read, 12 April, 1697. [*Board of Trade.* Newfoundland, 3. *No.* 74; *and* 25. *p.* 107.]

April 12. **919**. Minutes of Council of Massachussetts. Advised that writs be issued for calling an Assembly for the last Wednesday in May. Bill for a general fast on 13 May read and consented to. Elisha Hutchinson and Nathaniel Byfield appointed Commissioners to solicit assistance from Connecticut and Rhode Island for prosecution of the war. Letter from the Government of New Hampshire asking for sixty more men to man the fort at Great Island, and undertaking to pay for half their wages and subsistence. [*Board of Trade.* New England, 49. *pp.* 81-82.]

[April 12.] **920**. Petition of John Nelson, nephew and heir to Sir Thomas Temple, to the Lords Justices of England. The said Sir Thomas Temple long ago purchased from one Mons. Charles de la Tour the inheritance of Nova Scotia and part of the country called L'Acadie, with all the forts, plantations and trade thereof, which said countries were first discovered and planted by Sir William Alexander, afterwards Earl of Stirling, and others in the time of King James I. By the authority of that Crown the government and propriety thereof was granted to the said Earl and his heirs, conveyed by him to Charles de la Tour aforesaid, to hold under the Crown of Scotland, and by him quietly enjoyed until in 1654 the Commonwealth of England possessed themselves thereof. It being in the hands of a Frenchman he came thereupon to England, and on his making out his title from the Earl of Stirling

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as aforesaid, his right was restored and was by him conveyed to Sir Thomas Temple aforesaid, who enjoyed it until the Treaty of Breda. He built divers forts for defence thereof and made other improvements which cost over £16,000, notwithstanding which, upon some false suggestions of the French ministers that it belonged formerly to the Crown of France, King Charles II., without examination or notice to the parties concerned, restored it to France under an article of the Treaty aforesaid, and by several Orders in Council required it to be delivered to a person sent by the French King; which was accordingly done. At his death Sir Thomas Temple demised all his right and title to the premises to me, who during the present war have hazarded person and estate to recover the same, when being unfortunately taken prisoner I was kept in France for five years, and even now continue under caution. Meanwhile, the greater part of the said country having been regained by the English, has been by surprise included in the patent of the Government of Massachusetts. This being the case, I being informed that a treaty is on foot between the Kings of England and France, have desired that His Majesty may not be surprised in this affair by neglecting or acquitting so considerable a proportion of his dominions as well as my property. I beg you to represent this matter to the King. 2 *pp.* *Endorsed*, Recd. 13th, Read 16th April, 1697. [*Board of Trade.* New England, 8. *No.* 87.]

April 12. **921.** John Nelson to Council of Trade and Plantations. Pursuant to your wishes I have here annexed a brief account of the right and title of the English Crown to Nova Scotia and Acadia. Though placed some time since in Mr. Vernon's hands it may need your particular influence at this conjuncture, and since the French still retain some parts on the northern side of the Bay of Fundy it is not improbable that they continue their pretensions to the whole, whereas, setting aside all our other ancient and just titles thereto, we have a present and actual right by conquest to Port Royal, Siganecto, at the bottom of the Bay of Fundy, and all along the coast of Cape Sable to a place called Merlequasti, about sixty leagues beyond the Cape eastward. These countries are very considerable from the fishery, whereon the chiefest of the trade of New England and New Hampshire depends, which if well assured unto us might in a manner be of as great advantage as Newfoundland. Therefore I presume it may be thought worth our insisting upon, especially as its reduction by Sir William Phips in 1690 was so costly, and since then the King's frigates have guarded the inhabitants. All of these people, that is to say those of Port Royal, the Mines and Siganecto at divers times renewed their submission and allegiance to the Crown of England, at once by oaths and by contracts, of which I enclose the most important, given to me in 1691. Since my detention in France I heard that the Government of Massachusetts and the captains of the King's ships have almost every year renewed the English pretensions of right by conquest, and have received like acknowledgements from the French who remain in the place. It is not for me to determine how all this may be improved, but I am sure that it is the Crown's

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interest to maintain our right herein, which is the more evident from the mischiefs that have befallen us ever since the precipitant and ill-advised rendition of the countries by the Treaty of Breda, whereby we have not only lost the greatest and best part of our fishing coast but have found ourselves in constant differences with the Indians. This last has been so fatal as to lay waste near fifty leagues of the most flourishing parts of those countries, and will for ever be of the same consequence if the King forego and give up what is so necessary to us. *Signed*, J. Nelson. *P.S.*—Pray observe that the inhabitants of Port Royal have accepted as magistrates such as the Government of Boston from time to time placed over them. For their own ease and comfort they always chose men who were most agreeable to the French inhabitants. 3 *pp. Endorsed*, Recd., 13th. Read, 16th April, 1697. *Enclosed*,

921. I. Deed of submission given by the French inhabitants of Siganecto to John Nelson, 17 September, 1691. *Sixteen signatures, most of them accompanied by a rude mark apparently in imitation of the Indian totem-marks. Original.* 1 *p.*

921. II. Quarto pamphlet, giving a journal of Sir William Phips's expedition against Port Royal 1690. Printed for Benjamin Harris, Boston, 1690. 16 *pp. Both enclosures endorsed as the letter.* [*Board of Trade.* New England, 8. *Nos.* 88, 88I., II.]

April 12. **922.** Memorial of reasons for reducing Newfoundland, given to the Council of Trade by Christopher Pollard. (1) As Newfoundland is now in possession of the French, 400 Indians are as good as 800 men that we can transport thither. The passage of a month or more will greatly fatigue our men, and when they get ashore they will soon get the scurvy for want of fresh provisions. Again they will be expected to lie 'open to the heavens,' having no covering; they cannot carry their tents through the woods, nor can they travel like the Indians, who will cover twenty or thirty miles a day in the country without trouble. (2) If the King would proclaim that the inhabitants of Newfoundland shall have their passage with their families to reduce the country and enjoy their former plantations, now in possession of the French, no doubt they would accept the offer or be debarred for ever from enjoying their rights or property therein. (3) If these inhabitants will go there, they are well acquainted with it, and good shotsmen, and to recover their own again, will behave themselves like men; and they can endure lying in the woods, being accustomed thereto in the cold of the winter. (4) Many of the said inhabitants have tendered themselves to Mr. Pollard to go, he being well known to them, having lived among them many years, and kept a store-house to supply them. (5) If the King will employ him in the ship St. Malo, and give him suitable instructions, he doubts not to give his Majesty satisfaction. (6) Mr. Pollard had three ships in the first transport service for reducing Ireland, for which he never received any pay as yet. 1¼ *pp. Within*,

Proposals of Christopher Pollard to Council of Trade and Plantations. (1) The owners of the St. Malo have ordered me to offer you the ship for the King's service. (2) Having lived for many

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years in Newfoundland, I know better where to land the forces, and can do so within three miles of St. Johns. (3) I can get pilots who know the coast well and have twenty years' experience of it, and as many such pilots as you think fit. (4) I have raised 120 men at my own charge formerly for the said ship. (5) Many of the inhabitants have offered to go over with me to recover the place if they are set at liberty after it is reduced, who will be very serviceable, having suffered great losses from the enemy. (6) £210 is due to me from the Victualling Office for victualling the King's men at St. Malo. (7) I suffered losses from the French, 1696, losing ships in Ferryland and a plantation burned in Capling Bay. 1 *p.* *The whole endorsed,* Communicated by Captain Pollard, 12 April, 1697. [*Board of Trade.* Newfoundland, 3. *No.* 75.]

April 12. **923.** William Thornburgh to William Popple. Lord Craven, for whose sickness the Proprietors of the Bahamas had deferred their meeting, is dead, and they met to-day, when I laid before them Thomas Bulkley's accusations against Governors Jones and Trott (*see No.* 681). Their answer is that Jones was here in England for several months, which was known to Mr. Bulkley, who might have prosecuted him at law if he had done him any wrong. Mr. Trott is under recall and on his return may be answerable to Mr. Bulkley, who seemed to the Proprietors, when he came before them, to be *non compos.* *Signed,* Wm. Thornburgh. [*Board of Trade.* Proprieties, 25. *p.* 67.]

April 12. Whitehall. **924.** William Popple to the Secretary of the Admiralty. Asking the Lords of Admiralty to provide for the passage of two captured Indians, their interpreter and William Nicoll to New York in the man-of-war intended for that Colony, the passages and provisions to be free. [*Board of Trade.* New York, 52. *pp.* 111-112.]

April 12. **925.** Journal of Council of Trade and Plantations. Mr. Burchett's letter of 10th inst. read (*No.* 918). Order for the Secretary to write again to the Secretaries of the Admiralty (*No.* 930). Mr. Pollard's papers were laid before the Council (*No.* 922). Several letters from Colonel Gibsone since his arrival at Portsmouth were communicated by Mr. Blathwayt.

Lord Bellomont's letter of 9th inst. read (*No.* 916). Order for the instructions relating to his salaries to be left in blank, and that the Secretary acquaint him with the establishment of Sir Edmund Andros's salaries.

The circular to the Proprietors of Plantations considered. Order for the Secretary to send copy of the address of the House of Lords with papers to the Treasury for its opinion (*No.* 935).

April 13. Order for the Secretary to write to the Agents of Barbados to enquire as to the two new proposed councillors.

Mr. Nelson delivered in three papers relating to Nova Scotia (*Nos.* 920, 921).

Petition of the three New York lieutenants read (*No.* 926). Resolved that if their case be not determined by the general officers upon the arrival of Major Ingoldsby, it shall be referred to Lord Bellomont.

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April 14. Mr. Burchett's letter of yesterday as to the transportation of tradesmen to Jamaica (*No.* 927) read. The Council, while observing the impracticableness of the thing at such short notice, ordered a copy to be sent to Mr. Gilbert Heathcote. Order for Mr. Heathcote to have notice to attend, about the Jamaica Acts referred to in Order in Council of 8th inst.

Mr. Thornburgh's letter of 12th inst. read (*No.* 923); after which it was explained to Mr. Bulkley that the redress that he seeks could only be obtained in a court of law, and he was desired to draw up proposals practicable according to law.

Major-General Winthrop asked for a sight of the clause in Lord Bellomont's commission which refers to the militia of Connecticut, which was granted him. Lord Bellomont's letter of this day was read (*No.* 932), and a draft additional clause relating to the militia of Connecticut was drawn up, which was ordered to be sent to him.

April 15. Lord Bellomont's letter of yesterday read, assenting to the proposed clause, which was accordingly added to his instructions, and communicated to Major-General Winthrop.

Commissioner Greenhill's letter of 13th inst read (*No.* 929).

Mr. Randolph handed in an abstract of a letter from Captain Benjamin Davis of 2 January (*No.* 554).

Letter of this day from the Barbados Agents read and a representation drawn up thereupon (*Nos.* 936, 937).

Representation drawn up as to Lord Bellomont's instructions (*No.* 939).

Mr. Yellowton's Agent informed the Council that it would be impracticable to transport tradesmen to Jamaica this opportunity.

April 16. Order for Mr. Nelson's papers to be sent to Mr. Secretary Trumbull, and that a letter be prepared to go with them.

Mr. Gilbert Heathcote explained that he had abandoned the idea of transporting tradesmen to Jamaica for the present, as they would arrive during the sickly season. He was unable to give any information as to two private Acts of Jamaica, which were thereupon sent to the Solicitor General.

The circular letters arising out of the address to the House of Lords were signed.

Order for letters to be prepared to Mr. Secretary Trumbull as to the despatch of further provisions to Newfoundland.

April 17. Mr. Burchett's letter as to the Newfoundland convoy, dated yesterday, was read (*No.* 945), and an answer thereto ordered (*No.* 948). The letter to Mr. Secretary Trumbull signed (*No.* 949), also the letter to the Duke of Shrewsbury of this date (*No.* 950). [*Board of Trade.* Journal, 10. *pp.* 67-78.]

April 13. **926.** Petition of Lieutenants Shanke, Sydenham and Wright, to the Council of Trade and Plantations. Asking that an order may be given that Lord Bellomont, on his arrival at New York, may examine fully the information which they have sworn as to the abuses of the Governor and Captains of New York. 1 *p.* *Endorsed*, Recd. Read, 13 April, 1697. [*Board of Trade.* New York, 7. *No.* 17.]

April 13. Admiralty. **927.** Secretary of the Admiralty to William Popple. With reference to the Memorial of the Council of Trade of 1st inst. (*No.* 887)

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touching the transportation of certain tradesmen to Jamaica, the Admiralty have sent orders to H.M.S. Chatham, now at Spithead, to take on board all or such part of the said tradesmen as shall come to him before he sails, and to victual them during the voyage. This ship is directed to proceed to Jamaica, the Norwich to the Leeward Islands, and the Sheerness and Seaford to Barbados, with orders to keep company. The remainder of the men-of-war will follow as soon as possible. *Signed*, J. Burchett. 1 *p. Endorsed*, Recd. Read, 14 April, 1697. [*Board of Trade.* Jamaica, 8. *Nos.* 55; *and* 56. *pp.* 90-91.]

April 13. **928.** William Popple to Gilbert Heathcote. I enclose copy of a letter received from Mr. Burchett (*preceding abstract*) that you may put such order thereunto as you find practicable at this conjuncture. The Council of Trade desires to speak with you concerning two private Acts of Jamaica. [*Board of Trade.* Jamaica, 56. *pp.* 89-90.]

April 13. H.M. Yard, near Portsmouth. **929.** Henry Greenhill to William Popple. Enclosing receipts from the Captains of H.M.S. Chatham for packets delivered to him for distribution. *Signed*, Henry Greenhill. ½ *p. Enclosed*,

929. I. Receipt of Captain Samuel Whitaker for the packet for the Leeward Islands, 13 April, 1697. ½ *p.*

929. II. Receipt of the same for the packets for Jamaica and Barbados. *Same date.* 1 *p.* [*Board of Trade.* Plantations General, 4. *Nos.* 49, 49 I., II.; *and* (*without enclosures*) 34. *p.* 138.]

April 13. Whitehall. **930.** William Popple to the Secretaries of the Admiralty. I am directed to remind you about giving orders for H.M.S. Crown to be despatched from Plymouth to Milford to convoy the fishing ships from thence to Waterford and Newfoundland. On receiving yours of 18 March I told the merchants of Barnstaple and Bideford that they might expect her there, and they are now growing very impatient of delay. [*Board of Trade.* Newfoundland, 25. *p.* 108.]

April 13. **931.** Minutes of Council of Barbados. A letter read from the President, who was absent through sickness, as to further instructions given by him to Captain Reeves, and as to expediting the bill now before the Council. The Council approved of the reinforcement of the squadron by one sloop, which the President had ordered owing to the addition of a large ship to the French force. Recommended to the Assembly that a guard-ship be appointed during the absence of the frigates. Bill for freedom of elections read as amended, and agreed to. H.M.S. Bristol arrived with a letter from Admiral Nevill, dated, off Palma, 1 April, desiring that a sloop might be sent to Martinique to see if the French squadron be there. Resolved that two sloops be taken up, one to go to Captain Reeves, the other to Martinique.

April 14. At the Assembly's request the Militia Bill was returned to them for amendment. Orders for the fleet to be ready to sail, and for the Assembly to be called on the 16th to make provision for the frigates, hourly expected. The bills to disable judges from practising in Courts, and to repeal the Act for a duty on shipping read twice. Bill concerning the powder duty read once and committed. Order

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for the entertainment of sick seamen. Resolution of the Assembly for fitting out two ships to join the men-of-war in securing the merchant ships now expected. [*Board of Trade.* Barbados, 65. *pp.* 204-5.]

April 14. **932.** Earl of Bellomnot to William Popple. I have perused the draft instructions and return them the sooner that they may be laid to-morrow before the King in Council, being desirous to despatch all that relates to my voyage to America. Pray move the Council of Trade to allow me £1,200 a year salary for New England as well as £600 a year for New York, for I understand that Sir Edmund Andros was paid so and that the Deputy Governor's salary was not deducted from the Governor's, which seems to me to be pretty odd. He, as I am informed, though he held the Governments both of New England and New York, resided constantly in New England, which made it the less expensive to him; but if it is expected of me to divide my time between the three governments, then the expense of the frequent removals will, I hope, be considered. Moreover, I conceive that I shall be expected to make somewhat a better figure than Sir Edmund Andros did. It is for the King's honour, and for his and the people's interest that the Governor's appointments should be large enough to keep him from the temptation of growing rich by oppression or by any indirect practices whatsoever. If there be a design for supplying the King with naval stores from New Hampshire, as I have formerly been told, I suppose that I shall be obliged to make many journeys thither to inspect and encourage the undertaking, which will be a great expense to me. I propose that £200 a year salary be allowed to the Lieutenant-Governor of New York out of the King's revenue of the colony, which will be the less burdensome to the country since he, being resident in that place, will spend the money there. The person that I have proposed to be Lieutenant-Governor of New York is a captain in the army in England and a very experienced good officer, and to make his £200 up to a competent maintenance I shall propose that he change companies with one of the captains there. I do not know whether the Lieutenant-Governor of New England has any allowance from the King, but, however that may be, I desire that means may be found to pay him a salary (if, I mean, he has a salary or present from the King) independent from mine. Pray therefore desire the Council to make the Governor's salary for New England £1,200, and the Lieutenant-Governor's what they think fit. As a fund for the said salaries I should propose their being assigned on the King's revenue for custom, confiscation, etc., and if the Council empower me by an instruction to inspect the due collection of that revenue, I suppose the King will not be the worse served for my being a check on the Collector. I would gladly save the Exchequer the charge of the salary, yet I must beg the Council to order that, if that revenue fall short of my salary, there may be an establishment here, as in the extract which you sent to me. I have made a slight amendment in our instructions to ensure that my absence in New Hampshire shall not entitle the Lieutenant-Governor of New England to half my salary and perquisites. *Signed,* Bellomont. 2¼ *pp. Endorsed,* Recd. Read, 14 April, 1697. [*Board of Trade.* New England, 8. *No.* 89.]

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April 14. Whitehall. **933.** William Popple to the Earl of Bellomont. Your letter of to-day was at once laid before the Council of Trade; but in view of certain representations made by Major-General Winthrop as to the militia of Connecticut, the Council has ordered a new clause to be added to your instructions, of which a copy is enclosed for your opinion thereon. [*Board of Trade.* New England, 36. *p.* 153.]

April 14. **934.** Earl of Bellomont to William Popple. Acknowledging the receipt of a draft clause to qualify his power in command of the militia of Connecticut, and submitting to the pleasure of the Council of Trade therein. *Signed*, Bellomont. ¼ *p. Endorsed*, Recd. 14th. Read, 15th April, 1697. [*Board of Trade.* New England, 8. *No.* 90.]

April 14. Whitehall. **935.** William Popple to William Lowndes. Forwarding a copy of the bond to be required of the Proprietors of all Colonies, for the execution of the Acts of Trade and Navigation by their Governors, to be laid before the Lords of the Treasury for their report. *Memo.* A letter was written again on 30th to require an answer. [*Board of Trade.* Proprieties, 25. *p.* 68.]

April 15. **936.** Agents for Barbados to Council of Trade and Plantations. In reply to Mr. Popple's letter of 24 March, we find on enquiry that Edward Bourke is not fitly qualified to be of the Council of Barbados, though we have no objection to make to Colonel Ramsay, who is a very good officer, a judicious man, and of considerable estate. *Signed*, Edw. Littleton, Wm. Bridges, Fran. Eyles. 1¼ *pp. Undated. Inscribed*, Recd. read, 15 April, 1697. [*Board of Trade.* Barbados, 7. *No.* 28; *and* 44. *p.* 57.]

April 15. Whitehall. **937.** Council of Trade and Plantations to the King. Recommending the appointment of David Ramsay to the Council of Barbados. *Signed*, J. Bridgewater, Ph. Meadows, Wm. Blathwayt, John Pollexfen, Abr. Hill. [*Board of Trade.* Barbados, 44. *p.* 58.]

April 15. Kensington. **938.** Order of the King in Council. That a letter constituting David Ramsay to be of the Council of Barbados, be prepared for the Royal Signature. *Copy.* ½ *p. Endorsed*, Recd. Read, 19 April, 1697. [*Board of Trade.* Barbados, 7. *No.* 29; *and* 44. *p.* 59.]

April 15. Whitehall. **939.** Council of Trade and Plantations to the King. We submit the draft instructions for Lord Bellomont as Governor of New York, New Hampshire and Massachusetts. We have left the figure of the salary blank, annexing a memorandum of the salaries that have been hitherto given. *Signed*, J. Bridgewater, Ph. Meadows, Wm: Blathwayt, Jno. Pollexfen, Abr. Hill.

State of the salaries of the Governors and Lieutenant-Governors of New England and New York. In 1686 Sir Edward Andros, as Governor of New England and New Hampshire, but not of New York, was appointed to receive £1,200 *per annum*, payable in England until the revenue there should be settled. In 1688 New York was added to Sir Edmund Andros's Government, and there was added to his salary £200 out of the £600 allowed from the revenue of New York for support of their Governors, and the

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remaining £400 was allotted to the Lieutenant-Governor. After your Majesty's accession the two Governments were divided, since which the Governors of New York have had their former salary of £600 *per annum* allotted them out of the revenue of that province. The revenue of Massachusetts under their new charter is disposable by the Assembly there, and the revenue of New Hampshire is inconsiderable. While the Governments of all New England and of New York were united under the same constitution, there was only occasion for one Lieutenant-Governor of the whole. But since the Governments of Massachusetts, New Hampshire, and New York are now separate and divided in constitution (though under the same Governor) it will be necessary that there be three distinct Lieutenant-Governors, so that a salary will be required for the Lieutenant-Governors of Massachusetts and New Hampshire, which should, we think, be paid by the Colonies, for hitherto no Lieutenant-Governors have been of any charge to the Crown. [*Board of Trade.* New England, 36. *pp.* 154-156.]

April 15. Kensington. **940.** Order of the King in Council. Approving the draft Instructions to the Earl of Bellomont as Governor of New York, Massachusetts, and New Hampshire, and ordering them to be prepared for signature. *Copy.* ½ *p. Endorsed,* Recd. 10 May, 1697. [*Board of Trade.* New England, 8. *No.* 91; *and* 36. *pp.* 181-182.]

April 15. Kensington. **941.** Order of the King in Council. Referring the question of the salaries of the Governor and Lieutenant-Governors of New York and Massachusetts (the amounts of which have been left blank in the Instructions) to the Lords of the Treasury for their report. *Copy.* 1 *p. Endorsed,* Recd. Read, 19 April, 1697. [*Board of Trade.* New England, 8. *No.* 92; *and* 36. *pp.* 158-159.]

April 15. **942.** Minutes of Council of Massachusetts. Commissions and instructions for the Commissioners to Rhode Island and Connecticut approved. Letter to the Government of New Hampshire that the Colony cannot send sixty men, and recommending the employment of H.M.S. Falkland. Order for payment of £815 to the Commissioners for War and Provisions for expenses recently incurred, also for payment of his salary, and of the salary of Addington Davenport, Clerk of Assembly. [*Board of Trade.* New England, 49. *pp.* 82-84.]

April 16. **943.** Minutes of Council of Virginia. Deputy-Secretary Jenings reported that Commissary Blair had applied to the Clerk of the Secretary's office for a pass to England, on which Mr. Jenings had ordered him to give no pass to any of the Council, as he himself or the Secretary would do it. Mr. Blair appeared, and it was resolved that he was in fault, no pass having ever been given to a Councillor but by the Secretary. On the motion of the Trustees the former restrictions on the land at Pamunkey Neck and Blackwater were continued until 20 June, their survey being still incomplete. [*Board of Trade.* Virginia, 53. *pp.* 57-58.]

April 16. **944.** Minutes of Council of Barbados. The Assembly came in, and were informed by the Council that it was necessary to give

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a present of fresh provisions to Admiral Nevill's fleet on its arrival, and a table for the Admiral and captains, and to provide a sloop to carry the Admiral's orders. The Council informed them that it had twice read the bills to disable judges from pleading and to repeal the duty on shipping, but that the bill for the powder-duty appeared to them to be abolished thereby. Bill concerning freedom of elections returned to the Assembly with amendments. An additional allowance for sick seamen was recommended to the Assembly. Orders as to the salutes to be given to the Admiral. The Assembly came in and said that they had drawn a scheme of the provisions that might be made over to the fleet if wanted, that no table was required for the Admiral and captains, that they agreed to take up a sloop to recall Captain Reeves, that they would make no additional allowance for sick seamen, and that they desired the powder-duty bill to be returned. Letters from the Board of Ordnance, the Council of Trade and the Agents read, respecting the coming of an engineer and a chief gunner, the Agents recommending an increase to the chief gunner's pay, if his duties required him to keep a horse. Three members appointed to take up a sloop to go out in quest of Captain Reeves in H.M. Ship Newcastle. A letter from the Board of Admiralty read, vesting the sole power of impressing seamen in the Governors of Colonies.

April 17. A fleet being visible to windward, the Council considered the preparations for Admiral Nevill's reception, including the appointment of two Councillors to welcome him, and the provision of a house and table for him. Mr. Heberlands, engineer, and Mr. Robert Chapman, gunner, then presented their credentials. The latter asked for a place of habitation, which was granted to him in any of the forts, and for a horse, accoutrements, a negro, and maintenance for them, which the Council undertook to propose to the Assembly. Mr. Cranfield and Mr. Bromley reported that they had welcomed Admiral Nevill to Barbados, and had been very kindly received by him. [*Board of Trade.* Barbados, 65. *pp.* 205-210.]

April 16. Admiralty Office. **945.** J. Burchett to William Popple. Since receiving your letter of 13th, the Admiralty have received letters from the merchants concerned in the ships bound with H.M.S. Crown to Newfoundland, saying that they will proceed to Waterford and remain there in expectation of our calling for them. The Admiralty have sent one of the Newfoundland squadron to Plymouth to join the Crown in convoying the ships aforesaid, and the transports which are not yet out of the river to Newfoundland; but they think the delay of the transports very prejudicial to the service, for if the Crown proceed without the other men-of-war they doubt whether she will be a sufficient convoy for the transports; and they have no present prospect of adding another ship to her. *Signed*, J. Burchett. 1 *p.* *Endorsed*, Recd. Read, 17 April, 1697. [*Board of Trade.* Newfoundland, 3. *No.* 76; *and* 25. *p.* 109.]

April 16. Whitehall. **946.** William Popple to the Solicitor General. I send you certain Acts of Jamaica for your opinion, and in particular two private

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Acts concerning the estates of William Truxton and John Childermas. Please hasten the despatch of the Acts in your hands. [*Board of Trade.* Jamaica, 56. *p.* 90.]

April 17. **947.** Petition of John Crowne to Council of Trade and Plantations. King James I. by Letters Patent of 10 September, 1621, granted all the lands in America called Nova Scotia to Sir William Alexander of Menstrue. The said Sir William by deed of 30 April, 1630, made over the said lands to Sieur Charles de St. Etienne, Lord of La Tour, and to his heirs for ever. The said Sieur Charles by deed of 30 September, 1656, made over all his right and title in the said lands to Thomas Temple and to my father, William Crowne, for the sum of £3,370 and odd pounds. Sieur Charles also reserved to himself and heirs the twentieth part of the product of the lands and of all the peltry, charge free. In 1668 the French at the Treaty of Breda prevailed with King Charles II. to surrender all the aforesaid lands to France, without compensation to the Proprietors. I beg that a clause may be inserted in Lord Bellomont's instructions to give all just and convenient countenance to me for the recovery of my estate, in order that planters may settle there, which they will be afraid to do without leave from me owing to the age and validity of my title. 1 *p.* *Endorsed*, Recd. 17th. Read, 19th April, 1697. [*Board of Trade.* New England, 8. *No.* 93.]

April 17. Whitehall. **948.** William Popple to the Secretaries of the Admiralty. By Mr. Burchett's of yesterday the merchant ships seem to intend proceeding from the Bristol Channel to Waterford without convoy. The Council of Trade desires to be informed whether it is intended that H.M.S. Crown, being joined by another of the squadron, and convoying the ships left behind by the squadron, shall proceed direct to Newfoundland or call at Waterford for the ships aforesaid. If the transports, ordnance and store-ships are obliged to attend the convoy to Waterford, the whole service of Newfoundland may be entirely disappointed by the delay which may happen by the alteration and indirectness of their course. Equally the merchants of the Bristol Channel, if disappointed of a convoy at Milford or Waterford, will suffer great loss, besides the prejudice to this year's fishery. The Council therefore hopes that care will be taken for the convoying of both transports and merchantmen. The Council of Trade agree with the Admiralty as to the damage to the service through the delay of the transports, upon which they have made frequent urgent representation. [*Board of Trade.* Newfoundland, 25. *pp.* 110-111.]

April 17. Whitehall. **949.** Council of Trade and Plantations to Secretary Trumbull. The merchants of the British Channels complain much of their disappointment of a convoy to Newfoundland. As it is most necessary that the transports and store-ships shall be convoyed to Newfoundland direct, we have written to the Admiralty on the subject and beg you to lay the letters before the King. Further, on making enquiry as to the nine months' provisions for 450 men, we do not find them in any readiness, and we therefore beg the King's orders not only for preparing but for despatching them to New-

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foundland under convoy, otherwise the forces there will be unable to subsist. *Signed*, J. Bridgewater, Ph. Meadows, Wm. Blathwayt, Jno. Pollexfen. [*Board of Trade.* Newfoundland, 25. *pp.* 111-112.]

April 17. Whitehall. **950.** Council of Trade and Plantations to the Duke of Shrewsbury. We send you drafts of letters prepared to the respective Governors and Proprietors of the Plantations in America, pursuant to the late address of the House of Lords to the King relating to the Plantation trade. *Signed*, J. Bridgewater, Ph. Meadows, Wm. Blathwayt, John Pollexfen. *See* Circular of 22 April *infra*. [*Board of Trade.* Plantations General, 34. *p.* 139.]

April 19. Admiralty Office. **951.** J. Burchett to William Popple. The Lords of the Admiralty have considered yours of 17th inst. I enclose a copy of their instructions to the Commander of H.M.S. Crown, wherein you will see that he is directed to ascertain from the merchants of Bideford and the places thereabouts whether they intend to send their ships to rendezvous at Waterford or at Milford, and to proceed accordingly to take them under his convoy. My Lords desire to know if these instructions will answer the service to the satisfaction of the merchants. The Bonadventure has been ordered to join the Portland at Plymouth to convoy the transport-ships to Newfoundland, so that the Crown may proceed without making any stay, and the necessary orders have been given for convoying the transports to Plymouth. *Signed*, J. Burchett. 1 *p. Enclosed*,

951. 1. Copy of the Admiralty's instructions to Captain Cooper Wade of H.M.S. Crown, 19 April, 1697. 1 *p. The whole endorsed*, Recd. Read, 20 April, 1697. [*Board of Trade.* Newfoundland, 3. *Nos.* 77, 77 I.; *and* 25. *pp.* 113-114.]

April 19. **952.** Journal of Council of Trade and Plantations. Petition of John Crowne read (*No.* 947). Ordered that he be informed that Nova Scotia is not in Lord Bellomont's commission.

Copies of Orders in Council of 8th inst. and 15th inst., referring to Lord Bellomont's instructions and the Council of Barbados, were read.

The Council agreed upon several heads as to the proposals for working mines in New England and bringing naval stores from thence.

April 20. Mr. Burchett's letter of yesterday respecting the Newfoundland convoy read (*No.* 951). Order for the information therein to be communicated to Mr. John Cary and Mr. William Hammond.

April 21. Governor Goddard's letter of 17 November received and read (*No.* 399).

Mr. Bulkley presented a paper of legal reasons for obliging the Proprietors of the Bahamas to pay him compensation.

The Acts of New York were then read through, and a representation ordered to be drawn thereupon.

April 22. The New York Agents attending answered various questions about the laws, and Mr. Nicoll handed in a paper of accounts of the £1,000 raised for the expense of his voyage, etc., as Agent (*No.* 957).

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April 23. Order for an abstract of Mr. Richier's papers to be prepared.

Lord Arran presented to the Council an Order in Council, dated yesterday, with the claim of the Duchess of Hamilton to the Narragansett Country annexed (*No.* 962). After some discourse with him the Council ordered copies to be sent to the Agent of Connecticut and Mr. Brenton, as the person most considerably interested in Rhode Island, for their objections to the claim, if any. [*Board of Trade.* Journal, 10. *pp.* 78-83.]

April 20. Whitehall. **953.** William Popple to William Hammond and John Cary. The Commander of the H.M.S. Crown has been directed to send overland to Barnstaple, Bideford and other ports to ascertain whether the merchants propose to send their ships to Waterford, to be convoyed thence to Newfoundland, or whether they mean to rendezvous at Milford and proceed thence to Waterford and Newfoundland, as arranged, and to act accordingly. Please inform your correspondents. [*Board of Trade.* Newfoundland, 25. *p.* 115.]

April 20. **954.** Minutes of Council of Virginia. The naval officers being directed to attend to be sworn to the new Act for the Plantation Trade, the Act was read. Whereupon Mr. Blair of his own motion declared himself to be a native of Scotland, and asked the Council's opinion whether he were not disabled, under a clause of the said Act, from sitting as a judge in the General Court. The Council decided that by the Constitution of the country the Councillors were the only judges of the General Court, and that therefore Dr. Blair came within the Act. The Governor reported that for better prevention of illegal trade and collection of revenue he had divided the Potomac district, and had appointed Colonel Richard Lee to be Collector and Naval Officer of the upper district thereof. The Naval Officers were then sworn to observe the new Act. It was resolved to give £5 of the £20 voted by Assembly for the General Court to Edward Ross, and £15 to George Marrable, sheriff of James City.

April 21. George Williamson having given in all the entries of lands taken by him on the South side of the Blackwater, was ordered to attend and shew his authority and instructions for doing the same. The report of the Trustees of the College being laid before the Council, it was resolved that nothing remained to be added thereto. [*Board of Trade.* Virginia, 53. *pp.* 59-61.]

April 22. **955.** Minutes of Council of Massachusetts. Orders for payment of £5 for express messengers, of £20 to the Commissioners to Rhode Island and Connecticut, and of £30, being his salary, to James Maxwell, messenger of the Council. Leave granted to John Arnold and James Thornbury to build houses in Boston. John Appleton was appointed Justice of the peace for Essex County. [*Board of Trade.* New England, 49. *pp.* 84-86.]

April 22. Virginia. **956.** Governor Sir Edmund Andros to Council of Trade and Plantations. I have received yours of 24 September. I send by H.M.S. Greenwich the proceedings of the Council and Assembly, the Acts then passed, and the Auditor's account of revenue. No laws were made since April, 1695, until September last. I send

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answers to your queries as particular as the shortness of the time will permit. I send also the names of the Council. Colonel Johnson is the same as Richard Johnson of my former list, and hath long been represented as a fit person; and Colonel Charles Scarburgh is of a good family and estate, and a noted man in former Assemblies, though not sooner known to me. Some of the former list are removed or dead, but I have supplied the number with others of the principal inhabitants of note in the country. *Signed*, E. Andros. 1¼ *pp.* *Endorsed*, Recd. 21 June; Read, 7 July, 1697. *Enclosed*,

956. 1. Answers of Sir Edmund Andros to the Queries sent by the Council of Trade and Plantations. (1) As to population, "No estimate hath ever been of the men, women "and children, but only of the titheable or taxable "persons, who are all men above sixteen years of age, "and all white women working in the ground, and "slaves of all sorts black above twelve years old if born "in the Colony and fourteen if imported, and were last "year 19,566." (2) As to increase or decrease of population, "From the year 1692 to the year 1696 "they have been much above 19,000 and never came to "20,000 titheables." (3) The Militia consists of forty troops of horse, in all 2,020 men, and eighty-three companies of foot, amounting to 6,278 men—in all 8,299 men. (4) As to the employment of the population, all generally are employed in planting tobacco. Some few of late, from want of goods from England, have forced particular persons to go upon the manufactures of linen and woollen, tanning and making of shoes, chiefly for their own use, but inconsiderable. Some few are employed in making tar and pitch. (5) The commodities exported to England, besides tobacco, are skins, furs, and pipe-staves. (6) As to the trade with other places than England, pork, beef, corn, pipe-staves, and a small quantity of tobacco are exported to New York, Barbados and the islands and New England. The imports from thence are rum, sugar, molasses and Madeira wine, also salt from the Bahamas; but seldom any European commodities, for which good and legal cocquets must be produced. (7) As to increase or decrease of trade, there has been little difference of late years. (8) As to present and proposed methods of preventing illegal trade, there are officers of Customs in the several rivers, a frigate from England and a vessel ordered to cruise. It is recommended either to have many waiters in each river, or, what would be more effectual, to appoint particular places for loading and unloading. (9) As to the working of the Ports Act of 1691, that Act was suspended by the Assembly in March, 1693, until the King's pleasure should be known, and on the arrival of the King's commands was signified by proclamation (*sic*). It still stands so suspended, being found inconvenient and having several clauses and impositions

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tacked to it. (10) One or more ports in each district, with encouragement for the loading and unloading of goods, is recommended in view of the insufficiency of the Act. This will be a great means of preventing illegal trade. (11) As to shipping, there are few ships of any great burthen belonging to the province, and not many seafaring men, who when once settled become planters. (12) As to the description of vessels built, there are ships, brigantines and sloops, their number not yet ascertained. (13) As to naval stores, masts and timber may be had, but with difficulty, labour being dear; the quality is thought to be not so good as in New England. Pitch and tar are frequently and easily made. Rosin and hemp may be and have been made, but in no quantity. Endeavour has been made for saltpetre, but without effect. (14) As to manufactures, there are none so long as we are supplied from England, except inconsiderable tanning and shoemaking. (15) As to the Indians in the province, there are on the eastern shore nine small nations, containing not a hundred bowmen fit for war. On James River there are four nations, 160; on York River three nations, about 50; on Rappahannock River two nations, about 40; on Potomac River one nation, about 12. They are tributaries and in good correspondence and friendship. There are several other nations from one to four hundred miles distant, with which the inhabitants are in trade and friendship. (16) No endeavours to convert the Indians to Christianity have ever been heard of. (17) As to settlement of the Indians among the Colonists, most of the above natives live within or near the inhabitants, but in towns by themselves. Several can speak English, but are or can be of little use by any means yet known. (18) As to the Indians said to have appeared at the head of James River in 1695, it is not known who they were, but they are suspected to have been Northern Indians, who often go four or five hundred miles from home. All the harm they did was murdering a poor man, and little or none else since the war. (19) As to the number of our Rangers, a lieutenant and eleven soldiers are appointed at the head of each of the four great rivers. They are to scout and range on the borders and out-parts, and upon discovery of any enemy to give notice to the next officer. (20) No Indians are joined with these Rangers, the last Assembly thinking it useless; and they are not included in the Act. (21) As to the progress of the College, see report of the Trustees attached. *Signed*, E. Andros. 4 *pp. Endorsed*, Recd. 21 June, Read, 20 Aug. 1697.

956. II. The Trustees of the College in Virginia to Sir Edmund Andros. In reply to your letter of 24 March we certify as follows. We have carried on the building

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of two sides of the designed square of the College (which was all we judged we had money to go through with) and have brought up the walls to the roof, which we hope in a short time will be finished, Colonel Ludwell having promised to shingle it upon credit. We transmit the accounts of our expenses, by which it will appear that we have spent £170 8*s*. 2¼*d*. more than we have yet received, which sum has been advanced by some of our number. We also send the accounts of the revenue of the penny *per* pound granted by the King's Charter, and of the skins and furs granted by Act of Assembly; by which it will appear that there accrues to the College the sum of £537 15*s*. 3¾*d*. over and above what has defrayed the President's and Masters' salaries; which sum we have applied towards the building of the College. The rule we have followed in settling the penny *per* pound with the several Collections of Virginia and Maryland is that approved by the Commissioners of Customs in their letters of 24 April, 1694, and 4 January, 1695, viz., to allow the Collectors twenty *per cent.* of the revenue and reserve the remainder to the College. To the end that the Collectors' accounts may be duly examined, we have ordered the Rector for the time being, the Treasurer and the President, or any one of them with two more of the Governors (not being Collectors) to inspect the said accounts and send them, duly sworn, together with the list of ships, to the Commissioners of Customs, which their Honours expect from us instead of from a Controller, which office they have let fall, saving the profits thereof to the College. In Maryland Governor Nicholson takes care to have the College-accounts audited and sworn before himself and Council, and transmits them to us, together with the list of ships. We have likewise settled the office of Surveyor-General, and exhibited to the Governor a list of surveyors for the particular counties; but their settlements have not been made long enough to bring in any revenue to the College, though we expect they will do about Christmas next. We are beginning to lease out the 10,000 acres of land on the Blackwater Swamp, granted by the King to the College; but on the other 10,000 acres in Pamunkey Neck our claim was stopped, owing to a dispute with some pretenders, and the survey is not yet finished, though we hope that it will be in a little time. We have founded a Grammar-school which is well furnished with a good schoolmaster, usher and writing-master, in which the scholars make great proficiency in their studies to the general satisfaction of their parents and guardians. The building and furnishing of the College being almost at a stop for want of money, we have desired Mr. President Blair to go to England to procure what he can towards finishing it. *Signed*, Steph.

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Fonace, Rector, Fr. Nicholson, Wm. Byrd, James Blair, Cha. Scarburgh, Jas. Smith, Benj. Harrison, Miles Cary, Wm. Randolph, Matthew Page. *Copy.* 2 *pp. Endorsed as the preceding.*

956. III. Accounts of the receipts and expenditure on account of the College in Virginia. The receipts from donations, including the Royal Gift, amount to £3,180 18*s.* 4*d.*, the expenditure amounts to £3,889 1*s.* 10*d.* The College Revenue from the duties allotted to it and the sale of land amounts to £852 6*s.* 9¾*d.*, against which are expenses amounting to £314 11*s.* 6*d.* The balance of the revenue account, £537 15*s.* 3*d.*, being carried to the credit of the building fund leaves a debit balance of £170 8*s.* 2¼*d.* It appears from the accounts that bricks cost 14*s.* *per* thousand; and that £45 2*s.* 0*d.* was expended on the College-seal; that "a horse and some small "necessaries" cost £4 12*s.* 6*d.*; and that "three cart-"horses, one feather bed and some necessary tools for "the use of the College" cost £39 17*s.* 5*d.* *The items are so much confused that little information is to be drawn from these accounts.* 4 *pp. Endorsed as the preceding.*

956. IV. List of the Council of Virginia, 20 April, 1696. Ralph Wormeley, Richard Lee, William Byrd, Christopher Wormeley, Edward Hill, Edmund Jenings, Henry Hartwell (removed to England), James Blair and Daniel Parke (both "intended for England"), Richard Johnson, Charles Scarburgh, John Lightfoot. *Signed,* E. Andros. ½ *p. Endorsed as the preceding.*

956. V. Names of persons to supply vacancies in the Council, John Armistead, Lawrence Smith, William Randolph, Dudley Diggs, Robert Carter, John Custis, Matthew Page, Lancelot Bathurst, William Tayloe, Peter Beverley, Lewis Burrell, Benjamin Harrison, sen. *Signed,* E. Andros. 1 *p. Endorsed as the preceding.* [*Board of Trade.* Virginia, 6. *Nos.* 16, 16 I.-V.; and 37. *pp.* 35-36 (*covering letter*), *pp.* 40-45 (*enclosure No.* I.), *pp.* 54-59 (*enclosures* II., IV., V.]

[April 22.] **957.** Account of the receipts and expenditure of £1,000, ordered to be raised by Act of the Assembly of New York, to pay the expenses of the Agents' voyage, etc., to England. Received, £997 16*s.* 0*d.* Expended, voyage to Boston, and necessaries for voyage to England, £41 13*s.* 3*d.* Lost in Spanish money to the French, £280 18*s.* 9*d.* Expended in France, and getting licence by the way of Jersey, £163 sterling *or* £208 13*s.* 0*d.* Lost on the first bill of exchange, £2 14*s.* 5*d.* Lost by bank-bills, £40 16*s.* 0*d.* New York money. 1 *p. Endorsed,* Recd. 22 April, 1697. [*Board of Trade.* New York, 7. *No.* 18.]

April 22. Kensington. **958.** The King to the Governors and Companies of Connecticut and Rhode Island. Notwithstanding the laws for prevention of frauds in the Plantation-trade, it is evident that great abuses have been and continue to be practised, which must needs arise either from the insolvency of the persons admitted for security or

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from the remissness of Governors, past and present, who ought to take care that those who give bond shall be prosecuted in case of non-performance. If we shall be hereafter informed of failure in the observance of the laws within your provinces by any wilful fault or neglect on your part, we shall look upon it as an infraction of the laws, tending to the forfeiture of your charters. *Countersigned*, Shrewsbury. [*Board of Trade.* New England, 36. *pp.* 159-160.]

April 22. **959.** The King to the Governors of Virginia, Maryland, Jamaica, Leeward Islands, Barbados and Bermuda. To the same effect as the preceding, only making the penalty to the respective Governors the loss of their place and such further marks of displeasure as shall be judged reasonable. [*Board of Trade.* Plantations General, 34. *pp.* 140-141.]

April 22. Kensington. **960.** The King to the Proprietors of East and West New Jersey. To the same effect as the preceding, with a warning that any further complaint of wilful failure to enforce these Acts will be treated as deserving marks of the highest displeasure. [*Board of Trade.* Proprieties, 25. *pp.* 69-70.]

April 22. Kensington. **961.** The King to William Penn, Proprietor of Pennsylvania. To the same effect as the preceding, with a warning that further wilful failure to enforce the Acts of Trade and Navigation may lead to the forfeiture of his Patent. Letter to the Proprietors of Carolina to the same effect. [*Board of Trade.* Proprieties, 25. *pp.* 70-72.]

April 22. Kensington. **962.** Order of the King in Council. Referring a petition of Anne, Duchess of Hamilton, to Council of Trade and Plantations for report. *Signed*, Wm. Bridgeman. ½ *p.* *Endorsed*, Recd. Read, 23 April, 1697. *Enclosed*,

962. I. Petition of Anne, Duchess of Hamilton, to the King. In virtue of an ancient grant to my father James, Duke of Hamilton, I am entitled to the tract of land known as the Narragansett Country in America. He was prevented from settling it by the rebellion, and lost his life for the cause of King Charles I.; and while I was still very young, several persons entered in possession of much of the said land without any title from me, and have never paid any quit-rent. I beg for your order that I may be established in my right to the said land, and that the inhabitants pay me such quit-rents as you think just, and that the unoccupied lands may be put into my possession. 1 *p.*

962. II. The Case of the Duchess of Hamilton. On 3 November, 1620, King James I. incorporated the Great Council of Plymouth for the settlement of New England. On 22 April, 1635, the said Great Council sold the County of New Cambridge, otherwise the Narragansett Country, to James, Duke of Hamilton. In 1636, the Duke sent over agents to survey the land, but his intentions were stopped by the Civil War, and

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he himself lost his life. Meanwhile several persons from adjacent Colonies settled themselves on this land. In 1664 the late Duke and present Duchess of Hamilton claimed this land by petition to King Charles II., who referred the matter to the Commissioners then appointed to settle the affairs of New England, who in 1666 made an evasive report that the Indian Sachems of the Country had surrendered themselves to the protection of the King, and that the Commissioner had accordingly appointed Justices to govern it till the King's pleasure should be known. Though no mention was made of my claim, the King issued a proclamation to forbid irregular settlements in the Narragansett Country. In 1682 the King appointed three persons to report as to the titles of the various claimants to the Narragansett Country, and the late Duke of Hamilton appointed Edward Randolph to lay his title before them. He was too late to do so before the Commissioners had finished their report, and they made no definite report on the claim subsequently. In 1687 Sir Edmund Andros received a commission to make further enquiry as to the propriety of the Narragansett Country, who reported that the settlers on the Country were intruders and that their grants were obtained by surprise, and by false suggestions of prior grants. I had, however, no notice of this commission, so could not lay my title before Sir Edmund Andros.

Memo. On 29 April, 1697, the Earl of Arran delivered another copy of this case, with one paragraph altered as follows: On Mr. Randolph's application the Commission of 1682 issued an additional report in 1683, saying that they had read the claim of the Duke and Duchess of Hamilton and sent a copy of the deeds to the Governor and Council of Connecticut, who returned an answer thereto. 3 *large pages.*

962. III. Duplicate of *No.* II. without the concluding memorandum. [*Board of Trade.* New England, 8. *Nos.* 94, 94 I.-III.; *and* 36. *pp.* 160-166.]

April 23. Whitehall. **963.** William Popple to Major-General Winthrop. Forwarding copy of the Duchess of Hamilton's petition (*see preceding abstract*) with the King's order thereon, that he may give the reasons of the Governor and Company of Connecticut why the petition should not be granted. [*Board of Trade.* New England, 36. *p.* 167.]

April 23. Whitehall. **964.** William Popple to Jahleel Brenton. The Council of Trade hearing of your concernment in Rhode Island and knowing of no agent for the Province here, send you the enclosed copy of the Duchess of Hamilton's petition to state the reasons of the Governor and Company of Rhode Island against the granting of the same. [*Board of Trade.* New England, 36. *p.* 167.]

April 23. **965.** Minutes of Council of Virginia. Edmund Jenings presented the drafts of letters for England, but, Commissioner Blair being absent, they were put off till to-morrow.

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April 24. The above letters were read, approved and signed, Mr. Blair being present. [*Board of Trade.* Virginia, 53. *pp.* 61-62.]

April 24. Virginia. **966.** The Council of Virginia to Council of Trade and Plantations. Our thanks for the King's commands and for your letter. The country is in peace and happiness, and we are very sensible of the King's favour in his commands for suspending the sending of the quota of men to New York, and charging the account of the revenue of quit-rents for £765 to New York and other services, and £655 to the Treasurer of the Ordnance for stores supplied to this Colony. On receipt of your letter of 13 February, 1696, respecting a law lately made in Scotland, and of 15 April last, with an Act lately passed in England to regulate abuses in the plantation-trade, the Governor sent copies thereof to the officers of the Customs, and issued a proclamation to cause all laws for the encouragement of navigation to be made public, and to require obedience to the same. The Governor took the prescribed oaths in the Council on the 4th of March, and on the 21st of April all Naval officers were ordered to attend and be sworn. On the Acts being read Commissary Blair of his own motion declared himself a native of Scotland, and desired the Council's opinion whether by a clause in the said Act he was not disabled from sitting as a judge in the General Court. The Governor referred the question to the Council, who decided that a native of Scotland in the Council of Virginia comes within the Act. On the notice of French preparations against America, given in your letter of 20 April, the Governor signified the same to the officers of militia and made proclamation to the inhabitants of the King's care for them. On the 24th of September the Assembly met, according to the Governor's summons. The Acts and Journals are transmitted to you, together with the Burgesses' answer to an address presented by the clergy to the Governor, which answer we recommend to your favourable consideration. As to the clergy's complaint that it is grievous to them to receive their salaries in tobacco at twelve shillings *per* hundred, we could observe that when that law was made it was in favour of the clergy, that a long time afterwards it continued of higher value and now in some parts of the country is not inferior, and where it is less is to the greater loss of the planter. The Governor recommended the circumstances of the clergy to the Assembly for the better advancing of their salaries and maintenance, and upon the revisal of the whole body of laws in 1693 a bill passed for the allowance of 16,000*lbs.* of tobacco, which being never thought to be passed without the whole of the laws, and the King's orders not meeting with such success as might justly be expected by the said revisal, the Assembly was dissolved. In the last Assembly, on the Governor's further recommendation of the clergy and the Council's great endeavours, an Act is passed for an allowance of 16,000*lbs.* of tobacco *per annum*, which the House of Burgesses thought a sufficient maintenance, since it exceeds most of their own circumstances and those of the country in general. We apprehend therefore that that part of the clergy's address is effectually answered. Their perquisites are set by law and far larger than allowed in England. As to their glebes being detained

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from them, it is their own fault if they have not the full advantages of them, for they are settled to them by law, and the Governor has never delayed to assist them on all occasions and has taken care to have glebes provided where new parishes are set out or lands to be taken up. As to their holding their livings precariously, not being inducted, the Governor in his first year inducted upon presentation as many ministers as were inducted since Sir William Berkeley's Government, and never heard of any desired. But this Government never deems it for the interest of the clergy to compel inductions, nor does any minister ever desire induction without presentation of the vestry, nor do we think it for the King's service to have such innovations, without which the clergy heretofore have been well contented. Since we have had the honour to be in this station we never knew nor heard of clergy more respected and countenanced, nor more readily assisted and redressed on all occasions. On reviewing the state of the revenue of two shillings *per* hogshead we find a considerable debt thereon, and the annual income insufficient to discharge the allowed salaries and contingent charges. The debt is increased by the King's orders as to New York, and as to fitting out a cruising vessel, and by necessary charges for great guns and platforms. *Signed*, Rich. Johnson, John Lightfoot, Edw. Hill, E. Jenings, Rich. Lee, William Byrd, Cr. Wormeley, Cha. Scarburgh. 4 *pp.* *Endorsed*, Recd. 21 June, Read, 20 Aug., 1697. *Enclosed*,

966. 1. Address of the Clergy of Virginia to the Governor, 25 June, 1696. In answer to the part of your speech relating to the King's letter for settling the salaries of the clergy, the House instead of remedying the evil gave such a representation of the circumstances of the clergy as if for the most part they needed no redress, but were well contented, and as if all information to the contrary proceeded only from such as were too avariciously inclined. We beg to represent to you our true condition. We are obliged to receive our salaries in tobacco at twelve shillings *per* hundred. We cannot but look on this as a great grievance, since no other persons are obliged to take tobacco at so high a rate. The King's quit-rents, which consist of the same sort of tobacco, are not sold for so much as half that price. As to our considerable perquisites, we have now no perquisites except for marriages and a few funeral sermons. By computation of the perquisites of the generality of our parishes we find that, one with another, they do not amount to above five pounds a year. As to our glebes, so ornamentally described by the Burgesses, we aver that in many parishes there are no glebes at all, that in several parishes which have glebes they are detained from the minister's possession, and that where it is otherwise the glebes are so destitute of houses, orchards and other conveniences that they are in no way fitting for his accommodation, and, one with another, are not worth above forty or

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fifty shillings a year. Also, which is as grievous as the rest, we hold these mean livings so precariously that (not being inducted) we are at all times liable to be turned out of them at the vestry's pleasure without any canonical objections either alleged or proved against us. So that we must unanimously own that the circumstances of the clergy of this country are most deplorable, and that the representation, which was made thereof to the King as such, was a good service to this church and pursuant to the earnest desires of the clergy at the general meeting in the year 1690. We therefore humbly pray that, since the House of Burgesses has shewn so much averseness to the relief of the clergy, your Excellency would make a favourable representation of our sad circumstances to the King, and intercede that the same may be relieved. *Signed*, James Blair, Commissary, *and by fifteen more. Copy.* 2 *pp. Endorsed as the preceding.*

966. II. Address of the House of Burgesses to the Governor of Virginia. On the address to you signed by sixteen of the clergy, we think ourselves obliged in vindication of our House to lay before you our sense of the several heads thereof. Their complaint concerning their salaries is without cause, since, without regard to paying their tobacco at twelve shillings *per* hundred, we know that in a great many parishes, or at least a great many ministers from several small parishes, they receive from 16,000*lbs.* to 20,000*lbs.* of tobacco every year, even some of those who have signed the address. Where it is not so, we conceive that the allowance made by the ancient law for a minister's maintenance makes their condition equal to that of a gentleman who has twelve or fourteen servants of his own. Clergy, heretofore as eminent for learning and life as these, lived plentifully and raised their fortunes out of that allowance, without complaint, so we cannot but conclude that they were generally content; and we are very sensible that the present clergy's condition is in all respects as good as the former, and themselves as much valued and countenanced, especially those whose lives and conversations merit it. We cannot therefore see how their circumstances are as deplorable as they represent and endeavour to make them. It must be confessed that tobacco is not of equal value every year, but it must be also observed that the clergy's state keeps equal pace with that of the planters and that their yearly maintenance is suitable to the fortune of him that pays it. This year some of the clergy have had from sixteen to twenty shillings a hundred for their tobacco. Next, as to their assertion that their perquisites do not exceed five pounds a year. They never have less than 500*lbs.* of tobacco and cask for a funeral sermon and sometimes 1,000*lbs.* For every marriage licence the law gives them twenty shillings or

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200*lbs.* of tobacco; for every marriage by banns 50*lbs.* of tobacco; and if the marriage be at a private house they get 100*lbs.* at least. From all which we compute their annual perquisites at 2,000*lbs.* at least and in very many parishes at 4,000*lbs.* Next as to their glebes, there are many and considerable glebes of far greater value than they set down, and if there be any parishes without a glebe there is a law to direct the providing of one; and we are sensible that such care has lately been taken to redress their complaints that they have no reason to fear wanting long what they have legal right to. As to detention of glebes from ministers, we cannot apprehend that it is so, unless they mean in one parish where the minister committed great waste while he had it, and the next, though entertained to preach but once a fortnight, would have leased to him. As to holding their livings at the pleasure of the vestries, we must say on behalf of the people of Virginia that they value and esteem a minister of good life and conversation and are not addicted to disagree with their ministers, but rather to use every means to encourage them. We could give many instances of this for every one where a minister has been turned by their vestries, though there are several examples of inducted ministers leaving their parishes at their pleasure. No minister can be hopeless of an induction, for several parishes, upon experience of their minister's qualifications, have given them a presentation according to law. It is but reasonable that a parish should be well satisfied in such affairs, nor do we think that a good man will expect to be irremovable unless he gives satisfaction, nor that a blameless one will fear removal. We therefore declare the clergy's complaint to be without just cause, and though the present Assembly, out of a dutiful regard for the King's command, have advanced the former allowance of the clergy to 16,000 *lbs.*, yet we think that the last House of Burgesses had a due regard to the circumstances of that time, and are wronged by the charge of averseness to the relief of the clergy. We do not doubt that you will favour the country with a true representation of the affair. *Signed*, Robert Carter, Speaker. 3 *pp. Endorsed as the preceding.* [*Board of Trade.* Virginia, 6. *Nos.* 17, 17 I., II.; *and* 37. *pp.* 46-48 (*covering letter*), *and* 59-69 (*enclosures*).]

April 24. Virginia. **967.** The Council of Virginia to the Duke of Shrewsbury. Our hearty thanks to the King for suspending the sending of our quota of men to New York. The Governor having assurance that money was sent instead of quotas of men from other Colonies remitted to New York £1,000 (New York money) out of the revenue of two shillings *per* hogshead, of which £500 was given by the Assembly and has since been allowed by the King for that service.

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The said revenue is in debt, since for some years its proceeds have not sufficed to pay the established salaries and contingent charges of the Government, besides the necessary advances for New York and the cost of fitting out a vessel to cruise and the charges for great guns and other incidents. We have received the King's orders as to the charges upon the revenue from quit-rents and payments to the Treasurer of the Ordnance. Mr. Blair on producing the Royal commands was re-admitted to the Council, and Mr. John Lightfoot has also been sworn thereof. Due orders were given on receipt of the Privy Council's letters for enforcement of the Acts of Trade and for providing against an attack of the French. The late Assembly passed a law to increase the allowance to the clergy to 16,000*lbs.* of tobacco. This is thought sufficient here, and after full consideration of the clergy's address to the Governor we think they have nothing more that calls for redress. A humble address and association of the Burgesses is now sent, by Mr. William Byrd and Mr. John Povey. *Signed*, Edw. Hill, E. Jenings, Rich. Lee, William Byrd, Rich. Johnson, John Lightfoot, Cha. Scarburgh, Cr. Wormeley. 2½ *pp.* *Endorsed*, Recd. 21 June, Read 23 Aug. 1697. [*Board of Trade.* Virginia, 6. *No.* 18; *and* 35. *pp.* 70-74.]

April 24. Admiralty. **968.** Secretary of the Admiralty to William Popple. Yours of 12th inst. has been laid before the Admiralty. Enclosed is an order to the captain of the Fowey to transport several persons to New York. She is at present going to Holland with the King, but is ordered to return to the Downs and proceed on her voyage. *Signed*, Wm. Bridgeman. ½ *p.* *Endorsed*, Recd. Read, 26 April, 1697. [*Board of Trade.* New York, 7. *No.* 19; *and* 52. *p.* 114.]

April 26. **969.** Minutes of Council of Montserrat. Two Acts, to prevent the engrossing of merchandise, and to forbid the transport of cassava-bread and privateering, were read and passed. Order for the names of all whites and blacks, from sixty to sixteen years old, to be taken, in order to raise a levy. [*Board of Trade.* Leeward Islands, 64. *p.* 523.]

April 26. Hyde Park Lodge. **970.** Duke of Shrewsbury to Council of Trade and Plantations. The King has appointed Mr. Ralph Grey, brother to the Earl of Tankerville, to be Governor of Barbados, and desires you to prepare his Commission and Instructions. The King would have you take care that the Governors whom he has appointed for any part of the West Indies be immediately despatched thither. *Signed*, Shrewsbury. *Holograph.* ½ *p.* *Endorsed*, Recd. Read, 29 April, 1697. [*Board of Trade.* Barbados, 7. *No.* 30; *and* 44. *p.* 59.]

April 26. **971.** Memorandum of the Attorney-General's report on the Acts of Maryland of 1695 and 1696, read 26 April, 1697. *Scrap.* [*Board of Trade.* Maryland, 3. *No.* 20.]

April 26. **972.** Journal of Council of Trade and Plantations. Mr. Bridgeman's letter of 24th inst. as to a passage for the two Indians read. Ordered that the order therein enclosed be sent to Mr. Nicoll.

Order for a copy of the address of the House of Lords to be given to Mr. Randolph.

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Copy of the Duchess of Hamilton's case concerning the Narragansett Country was given to Major-General Winthrop.

The laws of Maryland were considered.

April 27. The Commissioners for inspecting naval stores in New England asked for an order that guards might be furnished to them while so employed, but were referred to one of the Secretaries of State.

April 29. The Duke of Shrewsbury's letter of 26th inst. read reporting the appointment of Mr. Grey to be Governor of Barbados.

April 30. The Secretary was ordered to request of Lord Arran copies of certain papers mentioned in the Duchess of Hamilton's case. Major-General Winthrop presented a memorial (*No.* 985) relating to her claim, whereupon the Council gave him copy of a new clause inserted by Lord Arran, showing that her case had been submitted to the Governor and Council of Connecticut; but he persisted in craving time and alleging his want of orders on the subject. The Secretary was directed to write again to Mr. Brenton on the subject.

Mr. Peter Paggan attended, though not authorised to act as agent for Maryland, and said that none of its laws had been confirmed since 1692. The Secretary was directed to write to Mr. Povey hereon.

Mr. Edward Richier gave further information as to the detention of his brother in Bermuda and begged the Council to give consideration to that business. [*Board of Trade.* Journal, 10. *pp.* 84-92.]

April 27. Virginia. **973.** Governor Sir Edmund Andros to the Duke of Shrewsbury. The Council has prepared answers to the letters received from the Privy Council and to an address made to me by the clergy, which are sent by this conveyance. An Address and Association passed by the Assembly at their last meeting will be presented to you by Mr. Byrd and Mr. Povey. The Assembly will meet again on the 29th. I was much concerned at a quarrel which happened on 27 February last at a meeting of the College, between Governor Nicholson of Maryland and Colonel Parke. As soon as I heard of it (which was two days after) and had learned more particularly of it from Mr. Blair in the Council I confined Colonel Parke and sent one of the Council to be with Governor Nicholson to prevent ill consequences. The Governor stayed some days longer in these parts and then went back to Maryland, but in a fortnight's time returned hither again, as he uses frequently, being in the King's charter of the College. He has remained in these parts ever since. I am advised from home that I am reflected upon as an obstructor of the Royal commands for the church and college. I know not the cause, nor have I ever been wanting in my duty, though it is not possible for me to please Commissary Blair, who, as he lately told me, intends for England. Soon afterwards he declared himself in Council to be a Scotchman, and wished to know how far a clause in the recent Act against illegal traders affected him as a Judge in the General Court. The Council unanimously decided that he came within the Act. I beg that I may not be blamed unheard. Colonel Parke has also asked leave to go to

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England. *Signed*, E. Andros. 2¼ *pp. Endorsed*, Recd. 21 June, Read 23 Aug. 1697. [*Board of Trade.* Virginia, 6. *No.* 19; *and* 37. *pp.* 75-78.]

April 27. **974.** Record of the trial of William Vescy, at Boston, apparently for neglecting to keep a day of thanksgiving for the discovery of the plot to assassinate the King. Sentence, a fine of £10, and to stand in the pillory one hour. 2 *pp. Much damaged.* [*America and West Indies.* 579. *No.* 43.]

April 27. **975.** Minutes of Council of Barbados. Proclamation issued offering a reward for apprehension of several seamen, deserted from Admiral Nevill's ships. Order for caulking the French flag-of-truce ship, and for payment for sundry small services. Order for discharge of two hired sloops.

April 29. Consideration of a petition, as to the King's right to certain prizes, was deferred until the fleet should have gone. Further orders as to the discharge and paying off of hired sloops. Order for the delivery of victuals to H.M. Ship Newcastle. Order for the payment of £2,000 to the executors of the late Governor Russell, the Assembly having voted him that sum in 1695, and the same having been approved by the Lords Justices. Order for H.M.S. Bideford to convoy the outward fleet clear of the latitude of Deseada, and so up into this latitude, and then to return forthwith. [*Board of Trade.* Barbados, 65. *pp.* 210-212.]

April 29. **976.** Minutes of Council of Massachusetts. Order for payment of £12 for a horse for one of the Commissioners to Rhode Island and Connecticut. Letter from Colonel Fletcher of 19 April read, respecting the execution of two Indians in Hampshire. [*Board of Trade.* New England, 49. *pp.* 86-87.]

April 29. **977.** Journal of House of Burgesses of Virginia. It being an adjourned Assembly the Governor sent a message that he was ready to receive anything that the house had to offer. A new member was sworn. Address to the Governor. We so thoroughly debated and resolved upon the matters brought before us in your speech and other grievances and propositions at our last meeting, that, having no new business to enter upon, we are of opinion that you may grant us a further recess. The Governor consented to an adjournment until the 21st of October. Adjourned accordingly. [*Board of Trade.* Virginia, 52. *pp.* 282-286.]

April 29. Barbados. **978.** President and Council of Barbados to Council of Trade and Plantations. *March* 3. In obedience to the King's orders not a ship has sailed hence for Europe since September, because until very lately a fleet of any consideration could not be made up, nor could they and the men-of-war be manned at the same time for their convoy. Yours of 23 November arrived here on 26 January, and the packets for the Leeward Islands were at once forwarded. You will receive herewith the Journal of the Council and the laws passed by the Assembly during the six months ending 7 February last, but we cannot yet send the accounts of the Treasury, as the Committee of Accounts and the Treasurer have not yet been able to adjust them. The Assembly has raised over £20,000 in money and

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labour during the last eight months, which has been employed in our better defence and in furnishing the magazines with small arms and the forts with cannon. The country is resolved to spare no cost nor labour to uphold the King's honour and interest there, and though the island has suffered by great losses, interruptions of trade and high taxes, yet all seem cheerful under the last, seeing their money laid out for their preservation. The three men-of-war which are to accompany the merchant-ships hither will, we hope, in great measure secure our trade, especially if one be a fourth-rate, and the other two rowing sixth-rates. Such ships are best fitted to deal with the enemy that most infests us, being chiefly nimble rowing privateers, of sixty to eighty men, so that the greater ships can very rarely come up with them; and if two such galleys are not with the fourth-rate now coming, we beg that such may be sent hereafter. Pray also favour our Agents, especially in their application for great ordnance and military stores, without which we cannot defend this place as we would wish, for such things are not to be purchased here. Pray also support their application that a sufficient credit, or order upon the King's casual revenue here, may be appointed to supply the King's ships with the necessaries which they require, for the merchants will not accept bills drawn on the Navy Board, and hence the ships are sometimes unable to go to sea or do any service. We forward a list of the persons best qualified to fill vacancies in the Council, which now consists of fourteen resident here. We send home by this fleet the greater part of sixty-nine French prisoners, who were taken in a privateer captured by H.M.S. Newcastle.

29 *April.* The fleet of merchantmen was appointed to sail a very few days after the foregoing was written, but before the day came for their departure there were seen first four and then six of the enemy's ships for several days upon these coasts. We therefore thought it unsafe to venture them out, but ordered H.M. ships Newcastle and Virgin (prize) together with two of the best merchant-ships here and two sloops, well manned and fitted for twenty-four days' cruise, to fight them or chase them away. Our ships, however, returned to port on the 27th inst., not having had the good fortune to meet with the enemy. On the 17th arrived the squadron under Vice-Admiral Nevill and Rear-Admiral Mees, and on the 26th the Gosport and four Dutch men-of-war joined them here. They are now leaving the island for the prosecution of their designs in these seas, taking with them the Newcastle and the Virgin, and leaving the Bideford here. They will convoy our merchant-ships as far as Deseada, so that we hope they will have a safe passage clear of these islands. We moved the Vice-Admiral for a stronger guard for our trade than the Bideford, which is a bad-sailing fifth-rate. We are informed that three French men-of-war lately arrived at Martinique with Mons. d'Amblemont, their Governor, which will greatly hazard the provision-ships now expected in, as well as the London fleet in which our military stores are embarked. The Admiral was unwilling to weaken his squadron by leaving any other ship, yet condescended that two fourth-rates and a fire-ship should pass by the side of Martinique and attempt the capture or destruction of the men-of-war there. We are most

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grateful to you for your care for this island, in obtaining for us stores, an engineer and a gunner. Both shall receive every encouragement from us. The gunner is now with us, but Mr. Edwards, the engineer, is not yet arrived, having taken his passage in a merchant-ship. We send you an account of the present stores in the magazine; and the Act concerning the powder-duty will be found among those now transmitted. The King's orders as to pirates shall be strictly obeyed if ever any come here, but in our remembrance they have never made this a sheltering place, the law being so severe that they dare not come within reach of it. *Signed*, Fran. Bond, Presdt., John Gibbes, Geo. Andrews, John Farmer, Pat. Mein, Tob. Frere. 3 *pp. A short abstract is attached. Endorsed*, Recd. 5th, Read 6th July, 1697. *Enclosed*,

978. I. List of persons qualified to fill vacancies in the Council of Barbados. Nicholas Prideaux, James Colleton, Richard Scott, Abel Alleyne, Richard Walter, Richard Forstall, John Egginton, Robert Hooper, Thomas Maxwell, John Cousens, Alexander Walker, Thomas Duboys. *Scrap. Inscribed*, Memo. 31 Aug., '97. The Earl of Bridgewater acquainted the Board that the Bishop of London had spoke to him of Sam. Husband as a fit person to be made a Councillor. *Endorsed*, Recd. 5, Read 6 July, 1698.

978. II. List of stores, brought into and expended from the magazine at Barbados, during 1696, showing the balance left in the magazine and forts. 2 *pp. Endorsed as No.* I.

978. III. List of forty-three French prisoners sent home with the fleet, 30 April, 1697. 1 *p. Endorsed*, Recd. 5, Read 7 July, 1698. [*Board of Trade.* Barbados, 7. *Nos.* 31, I.-III.; *and* (*without enclosure No.* III.) 44. *pp.* 64-73.]

April 29. **979**. Petition of Ralph Lane to Council of Trade and Plantations. I omitted to tell you in my last address that after the death of George Hannay I was released from gaol, and since December, 1695, have been allowed to live at my own house, though under that restraint that I am liable upon any humour to be confined again in the common gaol. This is such an awe to me that I have not ventured to seek for proofs of the wrongs that I have sustained. I sent a petition to Governor Russell for copies of the papers which I required, but no answer was returned, and I am told that if I make another attempt to attend you, James Hannay will confine me with severity in the loathsome common gaol. I am therefore obliged to remove my grievances to the royal determination. *Proceeds to set forth the said grievances, arising out of litigation, at great length. Signed*, Ralph Lane. 3 *large pages.* [*Board of Trade.* Barbados, 7. *No.* 32.]

April 29. **980**. Petition of Ralph Lane to the King. Since the death of Governor Russell, the Government of Barbados has fallen into the hands of those who labour to refuse me the justice which your Orders in Council have directed. I beg that my appeal to your Majesty in Council may not be dissolved, but that I may be permitted to bring

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my grievances before you. *Signed*, Ralph Lane. 1 *p. Endorsed*, Recd. 21 July, Read 5 Aug. 1697. [*Board of Trade.* Barbados, 7. *No.* 33.]

April 29. Whitehall. **981.** William Popple to the Earl of Bellomont. Giving him notice of the King's desire that the Governors appointed for any part of the West Indies (*sic*) shall immediately be despatched thither, in order that all matters preliminary to his departure may be hastened. [*Board of Trade.* New England, 36. *p.* 168.]

April 30. Virginia. **982.** Clerk of House of Burgesses of Virginia to Council of Trade and Plantations. Forwarding an account of the proceedings of the Assembly on 29 April, with a duplicate of the former journal. *Signed*, Peter Beverley.

Duplicate of the above addressed to the Duke of Shrewsbury. *Both copies endorsed*, Recd. 21 June, Read 23 Aug., 1697. [*Board of Trade.* Virginia, 6. *Nos.* 20, 21.]

April 30. **983.** Minutes of Council of Jamaica. James Bannister sworn of the Council. Permission granted to the master of a Dutch ship to sell some goods saved from the wreck thereof. Three accounts relating to the fitting out of a fire-ship and a sloop ordered to be allowed in the account current of the King's revenue, the sum amounting to £320. Order fixing the tariff for expresses sent by the Marshal. Order for all claims for provisions or labour supplied during the late alarm to be sent in. Orders for certain payments and for audit of the accounts of the revenue. [*Board of Trade.* Jamaica, 79. *pp.* 63-67.]

April 30. Treasury Chambers. **984.** William Lowndes to William Popple. I have laid before the Lords of the Treasury your letter with the form of the bond and the address of the House of Lords, and by their direction have sent them to the Commissioners of Customs for report. *Signed*, Wm. Lowndes. ½ *p. Endorsed*, Recd. 1st, Read 3 May, 1697. [*America and West Indies.* 601. *No.* 44; *and Board of Trade.* Proprieties, 25. *p.* 73.]

April 30. **985.** Memorial of Major-General Winthrop to Council of Trade and Plantations. With reference to the Duchess of Hamilton's petition (*see No.* 962) I submit that her claim concerns a great number of people in New England who as yet have no notice thereof, and that all the deeds that serve to make out the title of the persons in possession are in New England. I have no instructions in the matter nor directions to appear for any of the persons concerned, but I hope that notice will be sent and a convenient time allowed before any determination be had. *Signed*, J. Winthrop. ½ *p. Endorsed*, Recd., Read 30 April, 1697. [*Board of Trade.* New York, 8. *No.* 95; *and* 36. *p.* 168.]

April 30. **986.** Jahleel Brenton to Council of Trade and Plantations. I cannot offer the reasons of Rhode Island against the Duchess of Hamilton's petition, of which copy has been sent to me, having no authority to act for the Colony in any way. I beg that a copy of the petition may be sent to the Governor and Company of Rhode

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Island. *Signed*, Jahleel Brenton. 1 *p.* *Endorsed*, Recd., Read 3 May, 1697. [*Board of Trade.* New England, 8. *No.* 96; *and p.* 169.]

April. **987.** Proposals of William Penn to the Committee of the House of Lords "to prevent foul trade in the Plantations and illegal trade with Scotland, etc." That all masters and commanders give £2,000 security (or such sum as is thought fit) in the said Plantations for the just performing the Act of Navigation. That every commander do in the said Plantations give a true content of the ships loading according to the law which obliges the same to be done in England. *Here follows a model declaration of a vessel's content.* That such content, as above, be made tripartite, all sworn to and signed by the commander, and certified and signed by the collector. Of these contents, one shall be delivered to the commander, by which he shall be obliged to enter his ship in England; one shall be sent to the Commissioners of Customs in London, who shall keep a just account of the same in a book and shall give no certificate of discharge, but that the same be noted under such certificate in the said book; one shall remain and be entered in a book in the Plantation, with the security given for the just discharge of the ship. All commanders shall be obliged within some convenient time to cause a certificate to be produced to the Government of the Plantation by the Commissioners of Customs in London or other port of his discharge, that he has made a legal discharge of his ship's lading in England; which certificate shall be entered in the book as a discharge of his securities; otherwise the said securities shall be sued for the same, and the collector shall be obliged, under some fitting penalty, to sue for the same. To remove all excuses that may be made of ships wanting securities in such Plantations, such commanders may, by a just letter of credit from their merchants and owners, obtain such in any plantation; which letters of credit shall become obligatory on the persons so giving them, in case of fraud, with double damages. By these means it will be hard for any person ever to run into irregular trade in the Colonies, which now is daily practised. To prevent all false certificates, a severe penalty should be laid on all who produce them. For the better security against false certificates the Commissioners of Customs shall by all ships send to the Governments of the Plantations a list of all certificates by them given, which will with great ease detect the fraudulent trader. The certificates should be printed upon paper with a knot or flourish and cut indenture-wise and numbered; and each Plantation should have a number suitable to that of the ships which they yearly load. A book may be kept in the port showing what numbered certificate are (*sic*) sent to each place, and what numbered certificate each ship carries, by which the officers in the Plantations may examine them. The cruisers now allowed in the rivers of Maryland and Virginia should be continued with further encouragement to detect ships from any place but directly from England. Good encouragement should be given to any seamen that shall discover any ship to enter herself in the Plantations, except as aforesaid; the same both for cruising and encouragement to be understood in any of the King's Colonies in America.

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Further proposals of William Penn. That the inhabitants of the Colonies may be encouraged to improve trade and be upon a better understanding among themselves I suggest as follows: No province shall obstruct by any custom or duty the passage of any ships or goods from England through it that are consigned to another province; for this plainly incommodates the people and puts them upon shifting for themselves without the need of such goods, and in so far prevents the consumption of English manufactures, to the hurt of trade and navigation and in violation of the law of England. Trade should be free of the growth of the provinces, as it is in England from county to county, where the laws of Navigation forbid it not; this will cure and prevent animosities, and the industrious will not be punished for their diligence by the idle. One province shall not protect the runaways of another, be it for crimes or debts, but justice shall be done according to the constitution of the several provinces. Lastly, the people should be under a stricter discipline in their manners, yet cherished and kindly as well as justly used by their respective magistrates.

Queries upon the foregoing proposals. (1) What misunderstandings have been among the inhabitants in any of the Colonies, and in which of them, whereby trade has been discouraged? (2) How or wherein has one province obstructed with duties the passage of ships or goods coming from England through it and consigned to another Colony? (3) What is meant by a "freedom of trade of the growth of the province"? And what by "from County to County"?

William Penn's answer to the foregoing queries. (1, 2) East Jersey is a distinct Government, yet ships bound thither have been forced to New York, and a custom exacted, to the great discouragement of trade, for where one ship has been sent to that province because of that force, two have been hindered that would otherwise have been employed to that Province. Next, this custom has been exacted from such ships by laws made in New York without consent of the inhabitants of New Jersey, as if New York had a representative of Jersey in that Assembly, though none of the members of it were parties to such an Act of Assembly, which is a disposition of property that is very irregular and no ways English, and vexes the inhabitants of East Jersey. Still more does it vex those of West Jersey, which lies quite in another river and bay, and about a hundred miles from that leading to New York. What is still more tortious and unwarrantable is that the Governor and Assembly of Maryland have put a custom of ten per cent. upon all English goods that are consigned to Pennsylvania in the fleet bound hence to Maryland for tobacco, to the great discouragement of trade as well as injustice to the King's subjects in Pennsylvania. For hereby we are destitute of supplies and denied the benefit of the King's highways, which in the charter of that Province the King has provided for himself and his subjects. Were the goods sold in Maryland the pretence were more allowable, but they are conveyed to Pennsylvania without opening, and the impost is ten per cent., which is not only without precedent but indefensible by law. Again, fourpence, if not ninepence, a gallon is laid upon all liquors that are carried from

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Pennsylvania into Maryland, and this is so rigorously executed that passengers for England, who come that way from Pennsylvania with the fleet at its return, must pay for what they bring for their passage only, their chests are rifled in the search of drink, and of some ten shillings is demanded and of none less than half-a-crown—"things never heard of in America, and a severity that cannot but breed bad blood between the people of those provinces, and which is prayed may be redressed and that with the first." If the people of Pennsylvania should deny those of Maryland requisite provisions to supply the ships bound home with tobacco, in retaliation, the consequence would not be well. The reason at bottom for the conduct of Maryland was our making a law against tobacco being brought into Delaware from Maryland—"the thing we have of late been so much troubled about here at home, which it is our interest to forbid, as well as otherwise our safety, and I believe agreeable with the Commissioners of Customs' desire." (3) By a free trade from one colony to another, as here from one county to another, of the growth of the provinces, I mean that whatever is not made to pay custom to the King by the Acts of Navigation may be sold without paying any custom, be it of the growth of the provinces or English goods. Provisions have ever gone free from one colony to another, so have English commodities, one province being sometimes better stored than another. But this I leave to the Commissioners of Customs. The first point only is of such moment that if care be not taken to prevent such unneighbourly doings, trade must suffer and the King's subjects live ill towards one another. Pray communicate this to the Board and quicken the remedy. *Signed*, Wm. Penn. *Copy. The whole*, 8½ *pages. Endorsed*, Mr. Penn's proposals. Recd. from himself, April, 1697. [*Board of Trade.* Plantations General, 4. *No.* 50.]

April. **988.** List of several papers relating to the Plantation Trade, delivered by William Penn to the House of Lords. 2 *pp. Endorsed*, delivered to the Board by the Earl of Bridgewater, April, 1697. [*Board of Trade.* Plantations General, 4. *No.* 51.]

May 1. Whitehall. **989.** John Povey to William Popple. In reply to yours of yesterday the laws of Maryland of about 1692 were referred by the Committee of Plantations to Sir Edward Ward, the Attorney-General, who kept them by him till some time after he had been made Chief Baron of the Exchequer and then sent them back without any report. I do not remember that these or any laws from Maryland have since been considered by the Committee except those which you mention to have been repealed by the King in Council. *Signed*, John Povey. 1 *p. Endorsed*, Recd. 1st, Read 3rd May, 1697. [*Board of Trade.* Maryland, 3. *No.* 21.]

May 1. Antigua. **990.** Governor Codrington to Council of Trade and Plantations. Our ships not sailing I am able to inform you since writing the foregoing (*No.* 859) that I have certain intelligence that the French squadron designed to these parts passed by us on the 16th or 17th of February without touching at any of their own windward islands, and arrived at Petit Guavos. Some say they intend to

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attack the city of St. Domingo by sea and land, and in order thereto they have for many months past kept several negroes and white men cutting a path for their forces to follow overland. Only six days ago the Colchester arrived from Barbados (whither I had sent her to procure victuals) where she found Admiral Nevill's squadron. He writes me that he awaited the return of a sloop sent for intelligence to Martinique, and that he would touch here on his way to leeward, where he says he is bound, in search of Mons. Pontee's [Pointis] fleet. I hourly expect his arrival, but the taking away of the Colchester and Jersey frigates will leave us much exposed to the insults of the enemy's privateers. They are so numerous hereabout, besides the three men-of-war that tend on Martinique, that hardly a ship can reach us until the convoys arrive from London. *Signed*, Chr. Codrington. ½ *p. Endorsed*, Recd. 18th, Read 24th June. [*Board of Trade.* Leeward Islands, 5. *No.* 43; *and* 45. *p.* 82.]

May 1. **991**. Minutes of Council of Massachusetts. An answer to Governor Fletcher's letter of 19 April read and approved. Order for an embargo on all vessels outward bound, except those already cleared to bring provisions from the neighbouring Colonies. [*Board of Trade.* New England, 49. *pp.* 87-88.]

[May 3.] **992**. Copy of a Minute by the Governor and Council of Connecticut, 13 December, 1683. In reply to the Duke of Hamilton's claim to the Narragansett Country we observe as follows: (1) His claim under his deed extends to land in Massachusetts, New Plymouth and Rhode Island as well as Connecticut. (2) We can say nothing as to the legalities of his deed. (3) His claim, so far as it concerns us, is preceded some years by a grant from Robert, Earl of Warwick to Lord Say and others, of date 19 March, 1631; whereas the Duke's deed is of 20 April, 1635. (4) Lord Say and his assigns entered on possession about 1634 without challenge from the Duke, and have improved and possessed it ever since. (5) The King, Charles II., in 1662 granted us a charter for the lands therein granted to us, and so in 1664 a letter which the Commissioners declare to be a renewal of our charter, which must refer to Lord Warwick's grant aforesaid. (6) We have been subjected to great expense for improvements and for wars for the Narragansett Country, of which the Duke of Hamilton has borne no share. (7) We can plead prescription in bar of the Duke's claim. (8) We should be glad to have an opportunity to make a fuller answer and to adduce our proofs. 3 *pp. Endorsed*, Sent by the Earl of Arran and read 3 May, 1697. [*Board of Trade.* New England, 8. *No.* 97; *and* 36. *pp.* 170-173.]

[May 3.] **993**. Reply of the Duchess of Hamilton to the Minute of the Governor and Council of Connecticut (*see preceding abstract*). (1) No part of Plymouth Colony nor of Massachusetts is comprehended in the Duchess's part, as alleged. (2) It suffices that the Duchess's father had his grant from the Great Council of Plymouth in 1635, and they from King James I. in 1620. (3) The grants of the Great Council of Plymouth to the Earl of Warwick, and the said Earl's grant of the land to the Governor and Company of

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Connecticut must be produced, before this can be answered. (4) The Duke did send out an Agent to the province soon after receiving his grant, but the Civil war and subsequent events prevented the Duchess from putting forward her claim until after the Restoration. (5) King Charles's charter of 1662 is twenty-seven years later than the Duke's grant, and makes no mention of any former right of the Governor and Company to the Duchess's land. (6) As to the wars spoken of, in paragraph 6, that of 1637 has no reference to the subject of the Narragansett Country. In that of 1675, Connecticut was not a principal, but an auxiliary to New Plymouth colony. (7) As to the Statute of Limitations, it is well known that it contains a saving clause in favour of minors and absent persons, so that it does not bar the Duchess's claim. 2 *pp. Endorsed*, Sent by the Earl of Arran, and read 3 May, 1697. [*Board of Trade.* New England, 8. *No.* 98; *and* 36. *pp.* 173-175.]

May 3. **994**. Earl of Bellomont to William Popple. In reply to the Council's order that I should prepare to be gone to my Government as soon as possible, pray inform them that I am asking the Treasury for money to supply an equipage and defray the expenses of my voyage, and when I receive it shall be gone with all imaginable despatch. Meanwhile I am making every preparation for a speedy departure. *Signed*, Bellomont. 1 *p. Endorsed*, Recd. Read 3 May, 1697. [*Board of Trade.* New England, 8. *No.* 99; *and* 36. *p.* 175.]

May 3. **995**. Journal of Council of Trade and Plantations. Mr. Brenton's memorial as to the Duchess of Hamilton's claim to Narragansett Country read (*No.* 986), when he discoursed at some length on the same, saying that he and his ancestors had possessed land in Rhode Island for threescore years, and had never heard of the claim till now, and setting forth further reasons against the said claim. Lord Arran produced two further papers on the subject (*Nos.* 992, 993).

Mr. Lowndes's letter of April 30 as to the Address of the House of Lords was read (*No.* 984).

Mr. Povey's letter of 1 May as to the Acts of Maryland was read (*No.* 989). Order for the said Acts to be sent to the Attorney-General.

Sir William Beeston's letter of 12 February was received and read.

May 4. One Richard Duke attended, saying that he had received authority to act for the Government of Rhode Island, and asked for copies of any papers put in by Major-General Winthrop as to the boundary of Rhode Island and Connecticut.

Order for Mr. Littleton to attend to-morrow on the business of Mr. Grey's commission.

May 5. Mr. Richard Duke produced his credentials, which appeared to give him no authority to act on behalf of Rhode Island but as a simple solicitor. He was however ordered to confer with Mr. Brenton, and was assured that copies of any papers relating to Rhode Island would be sent to him.

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Mr. Littleton answered several questions as to Barbados, after which the Council began to prepare Mr. Grey's instructions.

May 6. Mr. Lowndes's letter of yesterday as to Proprietors' bonds read (*No.* 999). Order for copy of the bond to be sent to Mr. Thornburgh for the information of the Proprietors of Carolina and the Bahamas, and that he be ordered to attend on Monday next; the like letters to be sent also to Mr. Bass and Mr. Penn.

Copies of Mr. Grey's commission and instructions were sent to him for perusal.

The Secretary was directed to apply to Lord Arran for copy of the grant made by the Council of Plymouth to the Marquis of Hamilton in 1653.

May 7. The Council dealing with the proposals of those interested in copper mines, etc., in New England agreed upon several provisoes and conditions to be offered them.

Heads of a representation as to Massachusetts agreed to. [*Board of Trade.* Journal, 10. *pp.* 93-103.]

May 4. **996.** Minutes of Council and Assembly of Nevis. Heads of a bill for prohibiting the giving of liquor to negroes, sent up to Council. The Assembly consented to a proposal of the Council that *lignum vitæ* be procured from the salt-ponds for gun-carriages. The Council agreed to a request of the Assembly to see the bills which were left incomplete when the Governor last left the island, and all Acts made since the Governor's confirmation of 17 August, 1691. Messages from the Assembly inviting the Council to concur with them in appointing some fit place for a gaol until the present gaol, which is unfit for Christians, be rebuilt, and to concur with them in soliciting the restoration of the ancient rights of the Lieutenant-Governor. Joint committee appointed to provide "a handsome treat" for Admiral Nevill and the officers of his squadron, shortly expected. [*Board of Trade.* Leeward Islands, 64. *pp.* 212-214.]

May 4. **997.** Copy of a letter to Admiral Nevill. Since you bear the character of a great man of honour and a zealous supporter of King William's government, I feel bound as a loyal subject to give you the following information. General Codrington is an unhappy, covetous and unprofitable governor, an oppressor of the poor, even to the disinhabiting of this unfortunate island by his evil practices, countenancing Jacobites, slighting the Assemblies, discouraging honest gentlemen by hard usage and threatening speeches, pluming himself upon the great wealth that he has made this war, believing that he may rule as arbitrary as he pleases and close and open the current of the law at his will and pleasure. The following are some of his actions. (1) He insinuated himself into the affections of the people, and frightened the unfortunate Sir Nathaniel Johnson into leaving the Government and leaving him as lieutenant-general. He told the people that they would be better under him, a man of large estate, than under a poor English gentleman who came to mend his fortune. (2) Having obtained the Government he published a proclamation to encourage people to go on the expedition to St. Christophers, offering them large plunder. Never did men fight better, but the promise as to plunder was broken, and

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the people were so much discouraged that they would not go on the next expedition to Guadeloupe. (3) The next expedition was to Martinique, and the people were so averse that a law was made on purpose to force them to this expedition. (4) He employs one Hutcheson, a lawyer, in all his intrigues, a confirmed Jacobite. (5) John Palmer came to this island with appointment to be Secretary of the Leeward Islands and Councillor. Though Governor Codrington declared himself that he knew Palmer to be a knave, yet he suffered him to be of the Council and to execute the office of secretary without giving security according to law. This man stands now charged with several misdemeanours, but though Governor Codrington promised to have justice done, yet it is neglected. (6) John Perry, an incestuous person, and a tap-house keeper, is now the Governor's only favourite. He was engaged in piracy not long since. The Governor owns five ships, by which he sends a fine store of sugar to Curaçoa. The poor have made it their politics to get off this island by offering themselves to serve in them. If you examine Captain Julius, who has been in his sloop's service, he can tell you of many passages in the Governor's trading. The King's regiment is in a deplorable condition for want of pay. The Commissioners receive it weekly, but have not taken care to send it to them. H.M.S. Colchester has been employed in fetching negroes from St. Thomas, instead of cruising to protect our trade. The Assembly of this island has often desired a General Assembly, but it is suspended. Many reasons are given. Please give this paper to Lord Bridgewater. The Barbuda sloop lately came from Curaçoa with negroes, but with what else I know not. *Signed*, J. Johns Sonn. *A long rambling production. Copy.* 7 *pp. Endorsed*, Recd., Read, 27 Oct., 1697. Duplicate of the above. [*Board of Trade.* Leeward Islands, 5. *Nos.* 44, 45.]

May 5. Virginia. **998.** Governor Nicholson to James Vernon. Sir Thomas Laurence gave me your most kind and obliging letter of 10 January, 1696. I do not know how to make you the least retaliation. I cannot think of gaining, much less keeping, your friendship by presents, yet I hope you will pardon me if I endeavour to pay you a quit-rent of very small price for my great favours. The bearer hereof is Mr. James Blair, who goes home to solicit some of the affairs of the College. He was very well known to the late Archbishop of Canterbury as he is to the present and to the bishops of London and Salisbury, so that I need not give you his character. He will give you a full account of affairs here. Pray continue your good favour to me. *Signed*, Fr. Nicholson. 1 *p.* [*America and West Indies.* 638. *No.* 27.]

May 5. Treasury Chambers. **999.** William Lowndes to William Popple. Forwarding a letter of the Commissioners of Customs of 4th inst., respecting the bonds to be given by Proprietors of Colonies (*see No.* 878). *Signed*, Wm. Lowndes. ¼ *p. Endorsed*, Recd. 1. Read 3 May, 1697. *Enclosed*,

999. 1. Report of the Commissioners of Customs to the Lords of the Treasury, dated 4 May, 1697. We think that the penalty to be inserted in the bond should not be less than

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£2,000 nor more than £5,000. *Signed*, Ja. Chadwick, C. Godolphin, Walter Yonge, Sam. Clarke, Ben. Overton. [*America and West Indies.* 601. *Nos* .45, 45 I.; *and Board of Trade.* Proprieties, 25. *pp.* 78-79.]

May 6. Whitehall. **1,000.** William Popple to William Thornburgh. Forwarding the form of a bond which the Proprietors of Carolina and of the Bahamas shall give for the due execution of all orders relating to the Acts of Trade and Navigation by the Deputy-Governors appointed by them. The Council of Trade desires to speak with him hereon on Monday next, at 4 p.m.

Similar letter to William Penn, in respect of Pennsylvania, dated 8 May, requiring his compliance with the bond as soon as he can conveniently come to town.

Similar letter to Mr. Bass, in respect of East and West Jersey, dated 6 May, requiring him to attend at the same time as William Thornburgh. [*Board of Trade.* Proprieties, 25. *pp.* 73-76.]

May 6. **1,001.** Minutes of Council of Massachusetts. In reply to an application from the Government of New Hampshire it was advised that forty soldiers be sent for defence of that province. Letter from the Privy Council of 27 August read, with a proclamation for the apprehension of the pirate Every and his companions. Leave granted to John Goodwin, John Langdon and Adam Winthrop to build houses in Boston. Orders for payment of £148 for powder and match, and for payment of £2 18*s.* to Henry Crane for entertaining of Richard Perry, a stranger, taken by the French, and by them set on shore about Cape Cod. [*Board of Trade.* New England, 49. *pp.* 88-90.]

[May 7.] **1,002.** Proposals, or heads of a charter, for the establishment of a Corporation for working copper-mines and bringing Naval stores from New England. Fourteen heads, in brief, and three provisoes to prevent stock jobbing, frauds or failing to fulfil the work for which the charter is granted. *The whole*, 8 *pp. Endorsed*, Agreed upon by the Board to be offered to the petitioners, 7 May, 1697. [*Board of Trade.* New England, 8. *No.* 100; *and* 36. *pp.* 176-181.]

May 8. **1,003.** Minutes of Council and Assembly of Nevis. The Council and Assembly agreed to appoint a joint Committee to choose a room in Charles Fort for a gaol. The Council refused to join the Assembly in soliciting the restoration of Lieutenant-Governor's rights, and in answer to their proposed heads of a bill concerning negroes, opined that the existing laws on that point were sufficient. Resolution of the Assembly that the ancient powers of the Lieutenant-Governor should be restored, that John Palmer is an enemy to the country and should be removed from all offices and debarred from practising the law, and that the Governor be entreated to take these matters into consideration. [*Board of Trade.* Leeward Islands, 64. *pp.* 415-417.]

May 10. **1,004.** Memorial of the Earl of Bellomont to Council of Trade and Plantations. Being anxious to be despatched to my Government I represent the following matters as absolutely necessary to the King's service and my speedy departure. (1) That a fourth-rate

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man-of-war be ordered for my own transportation and sufficient tonnage in a transport ship for my horses and baggage. (2) That such a quantity of warlike stores as was lately ordered for New York be sent to New England. (3) That 200 recruits be sent out to the New York companies; that the pay of those companies be made up to full English pay and also that all the arrears of off-reckonings and subsistence due to the troops may be sent out with me, to encourage the men and keep them from desertion, as it is absolutely necessary for the defence of the country that the companies be kept complete. (4) That presents to the value of £200 for the Five Nations may be sent out with me. (5) That Captain John Nanfan, of Sir John Jacob's regiment of foot may be appointed Lieutenant-Governor of New York, an experienced good officer who has served this whole war, and that to give him a competent maintenance he may be allowed to change companies with one of the captains now in New York. 1½ *pp. Endorsed*, Recd., Read 10 May, 1697. [*Board of Trade.* New England, 8. *No.* 101; *and* 36. *pp.* 182-183.]

May 10. **1,005.** Journal of Council of Trade and Plantations. Mr. Charles Story presented a packet from Mr. Usher of New Hampshire.

Mr. Bass and Mr. Thornburgh attending the Council fixed £3,000 as the sum to be inserted in the bonds of the Proprietors of New Jersey, and £5,000 for each of the bonds of the Proprietors of Carolina and the Bahamas. Mr. Thornburgh promised also to send a copy of the Patent of the Bahamas and to acquaint the Proprietors of the Council's sentiments.

Lord Bellomont's memorial read (*No.* 1,004) and a representation thereupon was agreed to. Sir Henry Ashurst pressing for consideration of the affairs of Massachusetts was informed that they were actually under consideration.

May 11. Mr. Boscawen recommended Mr. John Kendall for the Governorship of Bermuda if it should be vacant.

Mr. James Tyrrell brought forward his brother's case, but was directed to draw it up in writing.

Mr. Nicoll asking for more money for the two Maqua Indians, was directed to prepare a new estimate of the expenses.

Representations as to the Acts of New York and upon Lord Bellomont's memorial of yesterday were signed.

The papers from New Hampshire were read.

May 12. Mr. Story gave the Council an account of New Hampshire as it was when he left it on 5 March. The Secretary was ordered to summon Mr. Samuel Allen to attend and bring with him copy of Mr. Partridge's instructions.

Mr. Nicoll presented two more estimates for the Indians. The Council resolved to find him £50 more, which he promised to endeavour by good husbandry to make suffice.

May 13. Letter to Commissioners of Sick and Wounded signed (*No.* 1,021).

James Tyrrell's memorial on his brother's behalf read (*No.* 1,019). Order, that when next Sir William Beeston is written to, he be directed to answer a former letter upon this case.

May 14. Representation as to New England signed (*No.* 1,024). A representation as to Bermuda (*see* 17 May) agreed on. [*Board of Trade.* Journal, 10. *pp.* 103-110.]

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May 11. **1,006.** Memorial of the New York Agents to Council of Trade and Plantations. Pray give directions to the Commissioners for Sick and Wounded to present us with an allowance for the further accommodation and treatment of the Indians captured at Hudson's Bay and for providing for their voyage to New York, as the allowance already made is exhausted. *Signed*, Chid. Brooke, W. Nicoll. ½ *p.* *Endorsed*, Recd., Read, 11 May, 1697. [*Board of Trade.* New York, 7. *No.* 20; *and* 52. *pp.* 129-130.]

May 11. Custom House. **1,007.** Commissioners of Customs to the Lords of the Treasury. Pursuant to your orders we have amended and perfected the draft instructions sent by us to you on the 22nd March. We have added a clause to prevent evasion of the Act lately passed for preventing frauds and regulating abuses in the Plantations, by colouring foreign ships under English names. We have also inserted an article to carry out the recommendations of the House of Lords in their late address to the King. *Signed*, Sam. Clarke, Robert Clayton, Robert Southwell, C. Godolphin, Walter Yonge, Ja. Chadwick.

Circular Instructions to the Governors of Colonies. 1. You will inform yourself of the principal laws relating to the Plantation Trade, viz.: The Act for encouraging and increasing of Shipping and Navigation, of 12 Car. II.; the Act for preventing frauds and regulating abuses in the Customs of 14 Car. II.; that for encouragement of Trade, of 15 Car. II.; the Act for regulating the Plantation Trade of 22 and 23 Car. II.; the Act for the encouragement of the Eastland and Greenland Trades and better securing the Plantation Trade of 25 Car. II.; and the Act for preventing frauds and regulating abuses in the Plantation Trade, of the 7th and 8th year of His present Majesty's reign. These are now transmitted to you, and you shall take a solemn oath that they shall be punctually observed in every particular. 2. You will take care that the Naval Officers give security for the performance of their duties and be approved by the Commissioners of Customs. 3. You will take care that, in pursuance of the said Acts, no goods or commodities whatsoever are imported into or exported from any of the Plantations except in ships belonging *bona fide* to the people of England and Ireland or being the build of or belonging to any of the King's lands, dominions or territories, and whereof the master and three-fourths of the mariners are English; also that no foreign-built ship, unless *bona fide* bought before 1 April, 1662, and entered as such, shall be allowed the privilege of a ship built in England or Ireland (prizes condemned in the Admiralty Court excepted); also that after 25 March, 1698, no merchandise whatever shall be imported into or exported from the Colonies, or laden from port to port of the Colonies, unless built in England, Ireland or Colonies wholly owned by the people thereof and navigated with the masters and three-fourths of the mariners of the said places only (prizes excepted, as above, and also freight ships hired by contract of the Commissioners of the Navy); also that after 25 March, 1698, no ship shall pass as of the build of England, Ireland, Wales, Berwick, Jersey, Guernsey or any of the American Plantations, unless duly registered by the persons claiming property therein. The intent of the Act is that the master and

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three-fourths of the crew shall be English during the whole voyage, which is to be certified by the oath of the master. None but the King's subjects of England, Ireland and the Plantations are to be accounted English. 4. With regard to the enactment that every ship sailing from England, Wales, Ireland or Berwick for any of the Colonies shall give bond in £1,000 or £2,000 (according to her tonnage), in case she load any of the enumerated commodities (viz. sugar, tobacco, cotton-wool, indigo, ginger, fustic or other dyeing wood the produce of any of the plantations) she shall carry such goods to some port of England, Ireland, Wales or Berwick, and that ships loading such commodities in the Colonies shall likewise give bond to the Governor to the same effect; you are to take notice that though by the Act of 12 Car. II. the word Ireland is to be inserted in the bonds, yet by the late Act of 7 and 8 of the King that word is to be omitted, and you are not to permit any ship to load enumerated goods upon certificate of bonds given in Ireland. 5. You will carefully examine all certificates of security given in England, and where you suspect them to be false you will take fresh security. When you suspect certificates of lawful discharge of enumerated goods to be false you will prosecute the guilty parties for the forfeiture of £500. You will also take care that sureties offered for bonds in the Plantations are persons of substance sufficient for the value of the bonds, and that the conditions of the bonds be within eighteen months after date to produce certificate of the lawful landing and discharge of the goods therein mentioned. 6. You are to understand that the payment of the rates and duties imposed under the Act of 25 Car. II. on the several plantation commodities therein enumerated do not give liberty to carry the said goods to any other place than to some of the Plantations, England, Wales and Berwick only; and notwithstanding the payment of duties, bond must be given to carry them to their places only. 7. Every three months or oftener, or otherwise according as there is opportunity of conveyance, you will send to the Commissioners of Customs in England a list of all ships trading within the Colony under your care, and you will require of every master at his clearing an invoice of the contents and quality of his lading; two forms for the purpose are annexed. You will send copies of them to the Commissioners of Customs and to the Collector of the port in England to which the master shall pretend to be bound. 8. You will strictly enforce the clauses of the Act of 15 Car. II. which provide that no commodities of the growth or manufacture of Europe shall be imported into any of the Colonies unless laden in England, Wales or Berwick and in ships duly qualified; the following commodities excepted, viz., salt, wine of the growth of Madeira or the Azores, servants and horses from Scotland or Ireland and all sorts of victuals of the growth of Scotland and Ireland. Any ship carrying such European goods to the Colonies without producing a certificate that they were laden in some part of England, Wales or Berwick shall be forfeited. 9. To prevent the acceptance of forged cocquets you will give effectual orders that no European goods are to be landed in the Colonies except by warrant of the Collector of Customs and in the presence of an officer by him appointed. No ship shall be permitted to load or unload any goods

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whatever until the master has made known to you, or to your appointed officer, the arrival of the ship, her name and his own name, has satisfied you that she is duly qualified, and has delivered to you a perfect inventory of her lading. 10. You shall make no by-laws repugnant to the Acts above mentioned, and you will cancel such as may be repugnant. 11. You will aid and assist the officers appointed by the Commissioners of Customs and prosecute such as obstruct them in their duty. 12. You will take care that in any actions begun upon any laws or statute for forfeitures of ships and goods for violation of the Acts, the jury shall all be natives of England or Ireland, or born in one or any of the Plantations. 13. If you discover that any person claiming property in any Island or tracts of land in America shall at any time dispose thereof to other than natural-born subjects of England, Wales, Ireland, or Berwick without royal licence, you will at once report it to the Lord High Treasurer or Lords of the Treasury. (This article was omitted in the copy sent to the Proprietary Colonies.) 14. You will take care that all places of trust in the Courts of Law, or what relates to the Treasury in your Colony, be in the hands of the King's native-born subjects of England, Ireland or the Plantations. 15. That there may be no delay in the prosecution and execution of justice within your Colony by the death or removal of any of the King's officers, you may make choice of fit persons to be employed in these parts until they are approved or others nominated by the King. (This article was omitted in the copy sent to the Proprietary Colonies.) 16. You will correspond regularly with the Commissioners of Customs and report to them any misbehaviour of their officers in your Colony, giving also account of any other occurrences necessary for their information. 17. To prevent evasion of the Act of the 7th and 8th of the King, you will take care that no foreign-built ship be permitted to pass as a ship belonging to England, Ireland, Wales or Berwick until proof be made on oath by one or more of the owners before the Collector of Customs of the port to which she belongs, or upon similar oath given to yourself, which you are authorised to administer. A duplicate of this oath you will send to the Commissioners of Customs to be entered in a general register. By an Act of the 9th and 10th of his present Majesty, for enlarging the time for registering of ships, the period within which ships must be registered is extended for nine months beyond 25 March, 1698. No change of the ship's name nor transfer of property in her to another port can be made without registering her *de novo*. 18. *This clause is in the words of the King's circular letter of 22 April, No.* 958. *Here follow forms* of lists of shipping, invoices, entry and clearance. [*Board of Trade.* Plantations General, 34. *pp.* 143-165.]

May 11. Whitehall. **1,008.** Council of Trade and Plantations to the Lords Justices of England. On Lord Bellomont's memorial of 10th inst. (*No.* 1,004) we concur with his desires as to shipping, and think it would be very advantageous if 200 recruits were sent to New York. We also agree that his request as to presents for the Indians should be granted, for though 400 fusees were lately sent out for distribution to the Five Nations, yet the practice of sending out fresh presents

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on every change of Governors seems to us very expedient. *Signed*, J. Bridgewater, Tankerville, Ph. Meadows, Jno. Pollexfen, Abr. Hill. [*Board of Trade.* New England, 36. *pp.* 183-185.]

May 11. Whitehall. **1,009.** Order of the Lords Justices of England in Council. That a fourth-rate ship be immediately ordered to convey Lord Bellomont to his Government, also tonnage for his horses and baggage. *Memo.* A new order as to fusees for the Indians was given on 10 June, 1697, and no direction as to the recruits. *Copy.* ½ *p. Endorsed*, Recd. 18 June, 1697. [*Board of Trade.* New England, 8. *No.* 102; *and* 36. *p.* 208.]

May 11. Whitehall. **1,010.** Council of Trade and Plantations to the Lords Justices of England. We have considered the Acts passed in the sessions of five General Assemblies of New York from 9 April, 1691, to 25 March, 1696. Several of them, being temporary, are either expiring or expired, so require no further consideration. (*Here follows a list of twenty-five Acts.*) Next come those which seem to us to need some explanation, but on which your resolution may meanwhile be suspended without inconvenience. (*Here follows a list of nine Acts.*) Thirdly there are those which we see no reason for you not to confirm. (*Here follows a list of twenty-two Acts.*) Lastly there is an Act to declare the rights and privileges of the inhabitants of New York, which, in our opinion, gives the Representatives too great and unreasonable privileges during the sitting of Assembly, and gives to all inhabitants (except inn-keepers) such exemption from the quartering of soldiers as may, we conceive, be inconvenient to the King's service there, and contains also several large and doubtful expressions. We are therefore of opinion that the Act should be repealed and that instead thereof (to satisfy the minds of the inhabitants) the effect of a charter granted by King Charles II. to Virginia, according to the annexed copy, may be proposed to the General Assembly to be by them enacted, and then transmitted here for the King's approval. *Signed*, J. Bridgewater, Tankerville, Phil. Meadows, Jno. Pollexfen, Abr. Hill.

Here follows Copy of the Heads of the Charter granted by Charles II. to Virginia, adapted *mutatis mutandis* to New York. It contains no particular reference to the points raised by the Council of Trade in objection to the New York Act. [*Board of Trade.* New York, 52. *pp.* 115-129.]

May 11. Whitehall. **1,011.** Order of the Lords Justices of England in Council. Confirming twenty-three Acts passed by the General Assembly of New York. *Signed*, Rich. Colinge. 2 *pp. Endorsed*, Recd. 5 June, Read 7 June, 1697. [*Board of Trade.* New York, 7. *No.* 21; *and* 52. *pp.* 133-136.]

May 11. Whitehall. **1,012.** Order of the Lords Justices of England in Council. Disallowing the Act of New York declaring the privileges of the inhabitants, it being the King's intention to grant them a charter confirming their privileges and immunities to them. *Signed*, Rich. Colinge. ½ *p. Endorsed*, Recd. 5 June, Read 7 June, 1697. [*Board of Trade*, New York, 7. *No.* 22; *and* 62. *pp.* 137-138.]

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May 11. **1,013.** Minutes of Council of Barbados. Several members of the Assembly came in, who, though not a quorum, requested an order for twenty-five shillings to be paid to every soldier enlisted in England and not billeted, for the next billeting day. Order for removal of bombs and shot upon any of the wharves to the magazine. The requests of Mr. Heberlands and Mr. Robert Chapman, for allowance for travelling expenses on the King's service, were recommended to the Assembly, also the petition of the owners of two ships hired for the island's service. Order made as to certain prize-ships and for securing the King's share thereof. A shallop of little value, cut out off the coast of Martinique, was made over to the men who took her.

May 12. The Assembly brought up bills to appoint a Committee of Accounts, to revive the Excise-duty for two months (read twice), and concerning the powder-duty. Petition of the owners of two hired ships further considered. The Assembly fixed Mr. Chapman's allowance for travelling expenses at forty shillings a month. Order for payment of twenty-five shillings each to twenty-four soldiers. [*Board of Trade.* Barbados, 65. *pp.* 215-217.]

May 12. **1,014.** The New York Agents' account of their disbursements on account of the Indian prisoners captured at Hudson Bay.

	£	s.	d.
Three suits of clothes	21	13	6
Linen	4	11	6
3 hats	1	2	0
2 pair of gloves	0	3	0
2 swords and belts	1	3	6
3 pair of stockings	0	10	6
3 pair of shoes	0	13	6
2 periwigs	3	0	0
Diet and lodging expenses	29	17	6
Incidents, chirurgeon, etc.	5	2	0
	£67	17	0

½ *p.* *Endorsed,* 12 May, 1697.

Estimate of the further expenses on account of the same Indians, and their passage to New York.

	£	s.	d.
For linen, about	6	0	0
Stockings and shoes, about	1	10	0
Seabeds and necessaries, etc., about	12	0	0
Fresh provisions, about	12	0	0
Incidents, about	5	0	0
Diet and lodgings expenses at about £4 a week for a month, about	16	0	0
	£52	10	0

½ *p.* *Endorsed,* Read 12 May, 1697. [*Board of Trade.* New York, 7. *Nos.* 23, 24; *and* 52. *pp.* 130-131.]

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May 12. Whitehall. **1,015.** William Popple to Samuel Allen. Desiring him to attend the Council of Trade and Plantations on the subject of recent disturbances in New Hampshire, and to bring with him a copy of his commission to William Partridge as Lieutenant-Governor. [*Board of Trade.* New England, 36. *p.* 188.]

May 12. **1,016.** List of the laws of Maryland passed from 1692 to 1696. *Endorsed,* List of laws of Maryland sent to the Attorney-General, 12 May, 1697. 11½ *pp.*
Memorandum of the sending of this list. 1 *p.* [*Board of Trade.* Maryland, 8. *Nos.* 22, 23; *and* 9. *pp.* 38-46.]

May 12. **1,017.** William Popple to the Attorney-General. Forwarding certain Acts of Maryland on which no report has yet been made, for his opinion thereon, according to a list enclosed. [*Board of Trade.* Maryland, 9. *pp.* 31-32.]

May 12. **1,018.** Minutes of Council of Montserrat. Act for distraining on any who refuse to give an account of their family on oath, read and passed. [*Board of Trade.* Leeward Islands, 64. *p.* 523.]

[May 13.] **1,019.** Memorial of Usher Tyrrell to Council of Trade and Plantations. Having suffered great losses from the French I went to settle in America and obtained from the Government the grant of an escheated estate, giving bond for payment of £515. The estate was shortly afterwards plundered by the French, when I petitioned the Assembly for remission of the payment, which petition would have been passed had not the Lieutenant-Governor opposed it. I have ever since the war been in the actual service of the King in St. Christophers and Jamaica, and have lost almost all my estate to the value of £5,000. I beg for the King's orders that my bond for £515 may be cancelled, and that meanwhile the prosecution of it may be forbidden till further order. 1 *p. Endorsed,* Read, 13 May, 1697. [*Board of Trade.* Jamaica, 8. *No.* 56; *and* 56. *pp.* 94-95.]

May 13. **1,020.** The Solicitor-General to Council of Trade and Plantations. I have perused the two Acts of Jamaica respecting the estates of William Truxton and John Childermas, which seem to me to be reasonable, and the more so since I hear that they were not opposed. *Signed,* Jo. Hawles. ½ *p. Endorsed,* Read 27 July, 1697. [*Board of Trade.* Jamaica, 8. *No.* 57; *and* 56. *p.* 115.]

May 13. **1,021.** Council of Trade and Plantations to Commissioners of Sick and Wounded. The stay of the two captured Indians having been prolonged beyond expectation, you will pay to the New York agents £50 more towards the expense of their maintenance. *Signed,* J. Bridgewater, Jno. Pollexfen, Abr. Hill. [*Board of Trade.* New York, 52. *pp.* 131-132.]

May 14. Whitehall. **1,022.** Mr. Secretary Vernon to Council of Trade and Plantations. Forwarding a memorial from the Earl of Bellomont for their report. *Signed,* Ja. Vernon. ½ *p. Endorsed,* Recd. 15th. Read, 17th May, 1697. *Enclosed,*

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1,022. I. Memorial of the Earl of Bellomont to the Lords Justices of England. Being desirous of obeying the King's orders for my speedy departure to America, I lay before you the following matters necessary to enable me to do the King's service in the Country. (1) That warlike stores of like quantity with that recently ordered from New York be sent to New England, which is said to be wholly destitute of such stores. (2) That 200 recruits be sent to New York to complete the companies, it being impossible to raise men there. I propose that they be detached from the regiments in garrison in Munster in Ireland that are nearest to Cork or Kinsale, and that they be shipped on board the King's mast-ships bound for America. The number of men will be easily made good to the regiments in Ireland and the charge of transportation will be lessened. (3) That the deduction of 30 *per cent.* from the pay of the troops in New York be abolished, and their pay made equal to English pay, the Chaplain, Surgeon, etc., formerly paid from that deduction being otherwise provided for; also that the arrears of off-reckonings (now above eighteen months) and of subsistence (now above a year) due to the soldiers may be sent out with me, for I am told that it has always been customary to clear the soldiers on a change of Governors, and the companies ought to be kept complete. (4) That Captain John Nanfan be appointed Lieutenant-Governor of New York, with leave to change companies with one of the captains at New York. 1½ *pp.* [*Board of Trade.* New England, 8. *Nos.* 103, 103 I.; *and* 36. *pp.* 194-196.]

[May 14.] **1,023.** Order of the Lords Justices of England in Council of 15 August, 1695. Referring a petition from the Agent of Massachusetts to Lords of Trade and Plantations for report. *Signed*, Wm. Bridgeman. 1 *p.* *Annexed,*

1,023. I. Petition of Sir Henry Ashurst to the Lords Justices, enclosing a memorial from Massachusetts to which he prays a favourable answer before Lord Bellomont be despatched. *Signed*, Hen. Ashurst. 1 *p.*

1,023. II. Memorial presented to the Lords Justices by order of the Governor, Council and Assembly of Massachusetts. We ask: (1) That one or more frigates assigned to this coast may during the winter convoy our ships that go to Salt Tortudas for salt, thither and back. (2) That warlike stores be supplied us. (3) That no charter for trade or mines in this Colony may be passed. (4) That nothing be determined as to Mr. Almy's claim of lands, belonging to New Plymouth, for Rhode Island, till we have been heard. (5) That Rhode Island may bear a part of the charge with this Colony during the present war, they having profited by our necessities to raise the price of provisions, while we have been at no small charge for their defence when they have been infested by sea.

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(6) That in the event of peace no part of Nova Scotia or Acadia be restored to the French King. (7) That Mr. Brenton's office for entering and clearing of ships be removed, the Government being ready to countenance any duly commissioned persons in enforcing the Acts of Trade. (8) That our laws may be assented to. (9) That in view of our expenses and sufferings from the war we may not be burdened with any quota of men or money for defence of New York. (10) That the Governor and General Assembly may have power to grant lands from the Sagadehock river to the Gulf of St. Lawrence as in other parts of the province. (11) That the King give directions as to the claims and disbursements during Sir E. Andros's Government, of which we are ready to pay our proportion. *Large sheet. The whole endorsed,* Recd. 28 Aug., 1695. Read, 28 Jan., 1695-6. Represented, 14 May, 1697. [*Board of Trade.* New England, 8. *Nos.* 104, 104 I.-II.]

May 14. Whitehall. **1,024.** Council of Trade and Plantations to the Lords Justices of England. We have under consideration memorials from Massachusetts of 15 August, 1695 (*see preceding abstract*), of 10 December last, and also a third memorial from merchants trading to New England. In reference to such portions thereof as relate to defence by sea and land, we think it expedient that one fourth-rate frigate should be added to those already appointed for the guard of that coast, that one of these frigates be directed to convoy the salt-ships in the winter, and that the annual convoy for the mast-ships to New England take charge of other merchant-ships bound out and home. But we think the proposal for building fortifications and maintaining garrisons in Acadia to be altogether unreasonable. As to stores of war, it has not hitherto been usual that Massachusetts (being the most considerable Colony on the Continent) should demand or that the King should grant them, and we think it very reasonable that the people should rather be pressed themselves to use their utmost efforts for their defence. Nevertheless we think that ten pieces of cannon and 100 barrels of powder should be sent out with Lord Bellomont. *Signed,* J. Bridgewater, Tankerville, Ph. Meadows, Jno. Pollexfen, Abr. Hill. [*Board of Trade.* New England, 36. *pp.* 188-191.]

May 14. Treasury Chambers. **1,025.** Secretary of the Treasury to William Popple. Chidley Brooke, Agent for New York, has petitioned my Lords for some reward and allowance for his services and losses, and for the expense of his voyage to and from New York, and I transmit the petition for report of the Council of Trade. *Signed,* Wm. Lowndes. ½ *p. Endorsed,* Read, 7 June. *Enclosed,*

1,025. I. Petition of Chidley Brooke to the Lords of the Treasury. Petitioner was for several years a Collector of the revenue in Ireland till the Revolution forced him to fly. In consideration of his sufferings, the Lords of Trade appointed him Receiver of revenue at New York. He procured a new patent to enable him to appoint a deputy to do his work in his absence. In America he

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had to employ an additional clerk, and was put to greater trouble and expense than any of his predecessors, but received no allowance for the same. In December last he left New York for England on public business, but his ship was captured by a French privateer off Scilly, and he was kept a prisoner for three months and plundered of all that he had, to the value of £500 sterling. Prays some reward and allowance for travelling expenses, as has been granted to other Collectors in America who have come to England on the public service. *Signed*, Chid. Brooke. 1 *p.*

1,025. II. Account of the revenue collected by the Receiver of New York, from 30 January, 1691, to 25 December, 1695. Total, £22,337 7*s.* 3*d.* Credit balance, £339 5*s.* 11*d.* *Signed*, Chid. Brooke. 2 *pp.* *Endorsed*, Enclosed in Mr. Lowndes's letter of 14 May, 1697. [*Board of Trade.* New York, 7. *Nos.* 25, 25 I., II.; *and* 52. *pp.* 138-143.]

May 14. **1,026.** Minutes of Council of Maryland. The Governor summoned the Justices and Burgesses to consult them about murders committed by the Indians in Cecil County, when it was resolved that an Assembly should be called for 26 May, and that a message be sent to the Indians to give the Governor a meeting at their fort. A paper was read of the Susquehannah King disowning the murder.

May 15. Order for a message to be sent to the Susquehannah, Delaware and Shawanoe Indians to send down two or three chiefs each to meet the Assembly.

May 16. Five or six ships having been left behind, it was ordered that they should be left to their own liberty to sail. Order for the Naval officers to prepare their accounts. The Justices and Grand Jury made a report upon the condition of the State house. [*Board of Trade.* Maryland, 13. *pp.* 247-252.]

May 15. **1,027.** Jahleel Brenton to Council of Trade and Plantations. I submit the following report as to the government of the Narragansett Country or King's Province. While the Patent for Connecticut was passing through the offices here, an Agent arrived from the inhabitants of Rhode Island, Providence, Warwick and Patuxet with a petition to King Charles II. praying for a patent for that Country by the name of Rhode Island and Providence Plantations. This Agent having obtained a grant for the same was advised that the Agent for Connecticut had obtained a patent, of which the easternmost bounds was Narragansett or Pawcatuck River, but was endeavouring to get some other river to be understood to be the Narragansett river, thereby to enlarge the Colony of Connecticut. The Agent for Rhode Island made such application thereupon that the Agent for Connecticut agreed with him that Pawcatuck was Narragansett River, and also gave it under his hand that Pawcatuck should be called Narragansett River, and should be deemed the eastern boundary of Connecticut. The course of this debate and agreement may be read in the Rhode Island Patent. In the year 1664 the King's Commissioners, who

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were sent to settle the disputes as to the boundaries of the Colonies, decided that the Narragansett Country as far Westward as the Pawcatuck should remain under the Government of Rhode Island till the King's pleasure should be known to the contrary, which has not since that time been declared otherwise. Thus the case upon which the Attorney General gave his opinion in favour of Connecticut was not truly stated to him. *Signed*, Jahleel Brenton. *Memo.* It is mentioned in the report of Edward Cranfield and others concerning the Narragansett Country that the Agent for Connecticut did give under his hand to the Agent for Rhode Island that the Pawcatuck was to be the Narragansett, and this river the boundary between the two Colonies. This is also confirmed by Sir E. Andros's report of October, 1687. 2 *pp.* *Endorsed*, Recd., 15th, Read, 17th April, 1697. [*Board of Trade.* New England, 8. *No.* 105; *and* 36. *pp.* 191-198.]

May 17. Whitehall. **1,028.** Council of Trade and Plantations to the Lords Justices of England. On the documents received from Mr. Edward Richier and Governor Goddard respecting the difference between Governor Goddard and Mr. Isaac Richier we offer as follows. The Order in Council of 19 December, 1695, directed (1) that Mr. Richier on giving £2,000 security to abide by the King's decision on his case should be set at liberty, receive his goods again, and be permitted to appeal to the King in Council; (2) that Governor Goddard should appoint a Commission of six, three to be named by Mr. Richier, to examine witnesses and take evidence; (3) that Richier on giving the usual security should have liberty to appeal for all prosecutions in Bermuda. Governor Goddard has sent us copies of the bond and commission which he offered to Richier, of a minute of Council shewing why they refuse to release Richier from prison, and a general vindication of his conduct. On the other hand Richier has sent us copies of the bonds which he offered, and it is given as his excuse for not nominating three members of the Commission that the Governor has so far intimidated the inhabitants that he could not obtain three persons to act with impartiality in the matter. This is supported by several papers laid before us, many of which allege further acts of illegality against Governor Goddard. *A summary of these is given.* On the whole of which we would represent (1) That the difference between the bond offered by Governor Goddard to Richier from that tendered by Richier himself, is that Richier makes the restoration of his goods a condition of obligation while Goddard does not. Thus Richier would be bound in £2,000 to abide by the King's decision, while Goddard (who confesses that he has some of Richier's goods in his possession) would be left free; which is unreasonable. (2) As to the refusal to release Richier from prison we think that, apart from the illegality of the pretended outlawry and the fact that Richier's action in seizing Trott's ship has been upheld, such a refusal absolutely frustrates the benefit of appeal to the King and might obstruct the account which every Governor is bound to render to him. (3) We think that enquiry should be made into the complaints against Governor Goddard, but that it cannot be made in Bermuda while he continues

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as Governor there. (4) Nicholas Trott is the same man as was removed from the Government of the Bahamas for harbouring and protecting pirates. On the whole we recommend that Governor Goddard be recalled and a new Governor be sent out with orders to enforce the Order in Council of 19 December, 1695, to require the same security from Governor Goddard to abide by the King's decision and from Nicholas Trott likewise, also that directions be given for the prosecution of Nicholas Trott for the misdemeanours aforesaid. *Signed*, J. Bridgewater, Tankerville, Ph. Meadows, John Pollexfen, Abr. Hill. [*Board of Trade.* Bermuda, 29. *pp.* 23-33.]

May 17. **1,029.** Order of the Lords Justices of England in Council. Approving the report of the Council of Trade on the case of Isaac Richier (*see preceding abstract*), and ordering that Governor Goddard be recalled, that Nicholas Trott be obliged to come to England to answer to prosecutions for his misdemeanours, and that a clause be added to the instructions of the new Governor to enforce the remainder of the Council's recommendations. *Signed*, Rich. Colinge. 2 *pp. Endorsed*, Recd. 5th, Read 7th June, 1697. [*Board of Trade.* Bermuda, 3. *No.* 9; *and* 29. *pp.* 33-37.]

May 17. **1,030.** Journal of Council of Trade and Plantations. Mr. Vernon's letter of 14th inst. with a memorial of Lord Bellomont read (*No.* 1,022). A memorial from Mr. Brenton read (*No.* 1,027). The gentlemen interested in mines in New England having not lately enquired as to the resolutions arrived at thereon, the Secretary was ordered to send them the proposals and provisoes lately drawn up.

Representation as to Bermuda signed (*No.* 1,028), and, with that of the 24th as to Massachusetts, sent up to Council.

A body of instructions to the Governors of Colonies as to observance of the Acts of Trade considered, together with a presentment of the Commissioners of Customs of 11 May (*No.* 1,007). The Secretary received instructions for a letter to the Treasury thereon. (*No.* 1,036).

May 18. Lord Bellomont's memorial was considered and the heads of a representation thereon agreed upon.

May 19. The representation agreed to yesterday was signed (*No.* 1,033). The journals sent from Massachusetts were then considered.

May 20. Further consideration of the Massachusetts journals.

May 21. Mr. Vernon's letter, with a letter from the Governor and Company of Rhode Island was received (*No.* 1,037).

Mr. Jeremiah Basse presented a memorial from the Proprietors of the Jerseys, nominating him as Governor. Agreed to recommend the nomination to the Lords Justices. The King's letters to the said Proprietors concerning the Acts of Trade were then delivered to him.

The letters received from New Hampshire were considered.

On the approach of the holidays the Council adjourned to the 31st. [*Board of Trade.* Journal, 10. *pp.* 110-116.]

May 18. Whitehall. **1,031.** William Popple to Mr. Bulfinch. Forwarding copy of certain proposals and provisoes, to which the Council of Trade

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desires an answer from the gentlemen who desire a patent for working copper-mines in New England and bringing naval stores from thence. [*Board of Trade.* New England, 36. *p.* 194.]

May 18. **1,032.** Minutes of Council of Barbados. Richard Turner appointed Solicitor-General, and Samuel Smith Master in Chancery. Bills to disable judges from pleading, for repealing the duty on shipping and to revive the duty on excise, read a third time and passed. On the Act in favour of Quakers, the Council was of opinion that the intent of the Act does not admit them to the privilege of executors without an oath, unless they could produce some precedent from England. Bill for a Committee of Accounts read thrice and passed. Bill concerning the powder-duty read once and referred to a Committee. The Assembly's memorial for payment of £2 a month to Mr. Robert Chapman, and of £100 to George Payne for many and good services passed. Order for payments for subsistence of French prisoners. [*Board of Trade.* Barbados, 65. *pp.* 217-218.]

May 18. Whitehall. **1,033.** Council of Trade and Plantations to the Lords Justices of England. With reference to Lord Bellomont's memorial (*see No.* 1,022) we have in our representation of 14 May already dealt with the matter of sending stores of war to Massachusetts. As to recruits for the forces in New York we have already answered in our representation of 11 May; but we are not capacitated to offer an opinion as to the drafting of recruits from the regiments in Ireland. As to the pay of the troops, though the deduction of 30 *per cent.* has been represented as a hardship to them, and owing to the dearness of provisions appears really to be so, we do not presume to propose any alteration of the King's former orders; but we think that the payment of the arrears of off-reckonings and subsistence to them, on Lord Bellomont's arrival, would be a suitable and profitable encouragement to them. We have nothing to object against Captain Nanfan's appointment to be Lieutenant-Governor of New York nor to his exchange of companies with one of the captains there, provided it be by mutual consent. *Signed,* J. Bridgewater, Tankerville, Ph. Meadows, Jno. Pollexfen, Abr. Hill. [*Board of Trade.* New England, 36. *pp.* 197-198.]

May 20. **1,034.** Minutes of Council of Jamaica. William Brodrick's patent for the office of Attorney-General was read, and he was sworn in to that office. [*Board of Trade.* Jamaica, 79. *p.* 67.]

May 20. **1,035.** Minutes of Council of Montserrat. Jasper Scheurman was fined £100, current money, for drawing his sword on Colonel Hodges, and was bound over to good behaviour. Two Acts, for raising a levy and for a present of 60,000 *lbs.* of sugar to the Lieutenant-Governor, were passed. [*Board of Trade.* Leeward Islands, 64. *p.* 524.]

May 20. Whitehall. **1,036.** William Popple to William Lowndes, Secretary of the Treasury. I return the draft instructions prepared for the Governors of the Colonies (*see No.* 1,007). The Council of Trade desire the Treasury to know that they had already prepared a general instruction for the purpose, conformable to the address of the House of

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Lords and little different from the last clause of the draft instructions. Some of them have been sent to the Colonies, and the rest lie ready to be transmitted; but the Council of Trade think none the less that the draft instructions may be very useful to the end intended, and proper to be despatched accordingly as the Lords of the Treasury think fit. [*Board of Trade.* Plantations General, 34. *pp.* 166-167.]

[May 20.] **1,037.** Governor of Rhode Island to the King. We, the Governor and Company of Rhode Island, congratulate you on your happy deliverance from the detestable plot of assassination, and thank you for the appointment of the Council of Trade. We have received their letters of 20 April, 1696, and have endeavoured to place ourselves in a posture of defence, but our Colony is small by reason that several of our towns are at present withheld from us by Massachusetts, and that we being in the midst of the Colonies are a frontier to the rest, being bounded by the Ocean about forty miles. Hence all our strength of defence is little enough to preserve us from the attempts of the French, so that we cannot send assistance to other Colonies, however they may misrepresent us to the contrary. We have always received protection from former Kings, being a people of different religious persuasions from the former united Colonies; and we beg that we may be heard before judgment be given against us in any case. *Signed*, Walter Clarke. *Postscript.* We have received Mr. Blathwayt's letter as to the Association, which has been with alacrity subscribed. There are no dissenters from true loyalty in Rhode Island. 1 *p. Endorsed*, Recd. from Mr. Vernon, 20th, Read, 21st May, 1697. [*Board of Trade.* New England, 8. *No.* 106; *and* 36. *pp.* 199-200.]

May 20. Whitehall. **1,038.** Order of the Lords Justices of England in Council. Referring the petition of Captain William Holman to Council of Trade and Plantations for report. *Signed*, Rich. Colinge. ½ *p. Annexed*,

1,038. I. Petition of William Holman to the Lords Justices in Council. In August, 1694, I was very instrumental in preserving the harbour of Ferryland in Newfoundland, and eight or nine ships within it, from two French men-of-war. To do so I built four forts and mounted thirty guns, which cost me altogether £495. On my informing the Admiralty hereof they gave me a medal and chain, but advised me to apply to the King in Council for reinbursement of any debt. I beg that the Council of Trade may report what is fit to be done for my relief. *Copy.* 1 *p.*

1,038. II. William Holman's account for expenses incurred in the defence of Ferryland in 1694. Dated, 17 July, 1696. The largest items are £105 for 15 barrels of gunpowder, £150 for 3 quintals of fish spoiled. The last item is for "one hogshead of sherry wine, 20 gallons of brandy, and a barrel of strong beer which I gave the men to encourage them in time of fight." Total £495 14*s.* 9*d.* 1 *p. The whole endorsed*, Read 7 June, 1697. [*Board of Trade.* Newfoundland, 3. *Nos.* 78, 78 I., II.; *and* 25. *pp.* 116-118.]

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[May 20.] **1,039.** A collection of further papers relating to William Holman.

1,039. I. Order of the Lords Justices of England in Council, 6 July, 1695. Referring a petition of Holman to the Lords of Trade and Plantations for report. *Endorsed*, Recd. 30 July. Read 7 Aug., 1695.

1,039. II. Petition of William Holman to the Lords Justices. Almost identical with that given in preceding abstract, *No.* I. *Copy.* 1 *p.*

1,039. III. Narrative of Charles Desborough, 18 May, 1695. Setting forth how Holman fortified Ferryland, brought the inhabitants back to defend it by threatening to take their fish and burn their houses, and beat off two French men-of-war. 1¼ *pp.*

1,039. IV. A further deposition, giving no new details, of Holman's defence of Ferryland. 1¼ *pp.*

1,039. V. Deposition of Edward Davis, mariner, in confirmation of the foregoing accounts. It appears that Holman was Captain of the William and Mary, letter of marque of sixteen guns; that three of these guns were lost when transferring back from the shore to the ship after the French had retired; and that Holman also lost the profit which he might have made by fishing when he defended Ferryland. 1½ *pp.*

1,039. VI. Account of William Holman's expenses at the defence of Ferryland. Total, £463. This is in less detail than the account in preceding abstract *No.* II. ¼ *p.* [*Board of Trade.* Newfoundland, 3. *Nos.* 78 III.-VIII.]

May 20. **1,040.** William Thornburgh to William Popple. I have laid your letter of 6 May (*No.* 1,000) before the Proprietors of Carolina and the Bahamas, who are ready to pay all obedience to the King's commands. They have always made it an instruction to the Governors to observe the Acts of Trade and Navigation and will now express it as the King's orders. But since the late Act of Parliament has vested the approbation of their Governors in the King, it cannot be expected that they should give security for the behaviour of persons so constituted, nor are they aware that it is required of them by any Act of Parliament. *Signed*, Wm. Thornburgh. ½ *p.* *Endorsed*, Recd. 22 May. Read, 7 June, 1697. [*America and West Indies*, 601. *No.* 46; *and Board of Trade.* Proprieties, 25. *p.* 80.]

May 21. **1,041.** Memorial of the Proprietors of East and West New Jersey to the Council of Trade. Requesting the royal confirmation of Jeremiah Basse to be Governor of the said provinces. [*Board of Trade.* Proprieties, 25. *p.* 77.]

May 26. **1,042.** Journal of General Assembly of Massachusetts. Letters from the Council of Trade read, including that respecting the expedition to Newfoundland. The Representatives were sworn, sixty members in all (*full list given*), and Penn Townsend, senior member for Boston, approved as Speaker.

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May 27. Nathaniel Byfield, John Appleton, John Otis and Samuel Partrigg, representatives, brought up the names of the twenty-eight elected Councillors (*full list given*) who were approved by the Lieutenant-Governor. His Honour then communicated to the Representatives the letters from the Council of Trade, and the appointment of Lord Bellomont to be Governor, further acquainting them that the report of the Commissioners sent to Rhode Island and Connecticut, as also a correspondence between himself and Governor Fletcher respecting the Skachkook Indians, should be laid before them. Committee appointed to prepare a bill for putting the militia in a posture of war.

May 28. Committee appointed to consider of the letters received from England. Order for preparation of bills to give succour to the neighbouring Colonies and for revival of the duty on wines. Militia bill read and debated.

May 29. Harvard College Incorporation bill read and amended. Order for a letter to be written to Connecticut for the assistance of fifty or sixty effective men. Adjourned to 31st. [*Board of Trade.* New England, 48. *pp.* 148-149.]

May 27. **1,043.** Minutes of Council of Massachusetts. Order for adjustment of the accounts for repair of the Castle and for fitting out the Province galley for the King's service, and for payment of the sums due thereupon. Orders for payment of £6 to Lieutenant-Colonel John Hathorne for expenses in the expenditure to St. John's River, of £100 towards the funeral expenses of the late Governor Bradstreet, and of £25 on account of postal services. [*Board of Trade.* New England, 49. *pp.* 90-93.]

May 27. Whitehall. **1,044.** Order of the Lords Justices of England in Council. Approving the following report of the Lords of the Admiralty, and directing them to give the necessary orders. *Memo.* The representation concerning fortifications and warlike stores was referred to the Ordnance. ½ *p.* *Over page,*

The Admiralty to Council of Trade and Plantations, 27 May, 1697. We see no objection to the employment of another fourth-rate frigate on the coast of New England, and we shall give the necessary directions to the Captain of the Deptford which is appointed to carry Lord Bellomont to his Government. *Copies.* *The whole*, 2 *pp.* *Endorsed*, Recd. 18 June, 1697. [*Board of Trade.* New England, 8. *No.* 107; *and* 36. *pp.* 208-209.]

May 27. **1,045.** Minutes of Council of Maryland. Two of the Collectors appeared and swore to their accounts. Order for arrest of William Taylard for perjury (*pp.* 262-263).

May 28. The letter of the Council of Trade of 25 September, was read, whereupon it was ordered that the militia officers send in lists of their troops; that the constables while making their lists of the taxables, make a list also of the women and children, negroes and servants, separating the free from the unfree; that the sheriffs report as to the number of ships built in the country; and order was given for the Justices to see that the Act for better clearing of the roads be enforced. [*Board of Trade.* Maryland, 13. *pp.* 252-255.]

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1697. May 29. Whitehall. **1,046.** J. Tucker to William Popple. Mr. Secretary Trumbull desires to know if, between the Treaty of Breda in 1667 and the beginning of the present war, our affairs in America have received any essential alteration, and, if they have, what those alterations are. This requiring some haste, Mr. Secretary desires that you will lay it before the Board at their next meeting, and that they will consider it with all convenient speed, and that as soon as may be afterwards they will let him know the state of things in America from the beginning of the war to this time, with as much exactness as possible, these matters being in order to settle a treaty of commerce with France. *Signed*, J. Tucker. 1 *p. Endorsed*, Recd. 30 May. Read, 7 June. [*Board of Trade.* Plantations General, 4. *No.* 52; *and* 34. *p.* 167.]

May 29. **1,047.** Minutes of Council of Jamaica. Stephen Towse sworn Clerk of the Council. Orders for payments for repairs of buildings, for £50 compensation to Captain John Hanger for losses sustained from the French while he was absent in pursuit of rebellious negroes. Order for payment of £60 as half-a-year's salary to Chief Justice Richard Lloyd and for payment of Thomas Nicholls, late Clerk of Council. [*Board of Trade.* Jamaica, 79. *pp.* 67-69.]

May 31. **1,048.** Journal of General Assembly of Massachusetts. Harvard College bill voted and sent down to the Representatives. Militia bill read and debated. Bill for assisting neighbouring Colonies returned by the Representatives as agreed to, and ordered to be engrossed. Militia bill read and sent down. Bill for new Excise duties read. The Representatives' proposals as to prosecution of the war read and committed. Order as to settling the ministry of Watertown agreed to by the Representatives.

June 2. The Speaker and Representatives attended for a conference on the proposals for prosecuting the war. Harvard College bill agreed to by the Representatives and ordered to be engrossed. An order as to the division of lands in the town of Sandwich was concurred in by the Representatives.

June 3. Bill to succour neighbouring provinces passed into an Act. New proposals from the Representatives for the prosecution of the war agreed to.

June 4. Sundry votes of the Representatives for small payments and a vote for approving the Treasurer's accounts were agreed to. John Taylor re-elected Treasurer. Bill for limiting the friendly Indians and prosecuting the enemy received from the Representatives and read. Harvard College bill passed into an Act.

June 5. Excise bill and bill for prosecuting the enemy read a second time. Militia bill received back from the Representatives, with some additions, and agreed to. [*Board of Trade.* New England, 48. *pp.* 149-155.]

May 31. **1,049.** Minutes of Council of Maryland. Petition of William Sharp upon a judgment against him was read; his case to be referred to the law officers for report, during which a letter from the Commissioners of Customs was read, directing that Sharp's prosecution should be pursued.

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June 1. The Registrar in Chancery reported that Sharp had taken out a writ of error in his business (*pp.* 255-257). Certain of the Collectors and Naval officers were sworn to their accounts. Letter from the Commissioners of Customs read respecting illegal trade (*pp.* 263-264).

June 2. Two more Naval officers sworn to their accounts. A letter from the President of Barbados read, reporting the arrival of Admiral Nevill, and ordered to be published. Order for lists of tithables and of fines to be made out for a new commissioner of the peace to be issued, and for a question as to the Ordinances of the Assembly to be referred to the law officers (*pp.* 264-266).

June 3. A second petition of William Sharp, to be allowed to purchase a new writ of error was read. Further proceedings relating thereto (*pp.* 257-260). Order for delivery of arms to the Rangers (*p.* 266).

June 4. Certain of the naval officers came and swore to their accounts. Messengers appointed to go to the Indians (*pp.* 267, 268). [*Board of Trade.* Maryland, 13. *pp. as cited.*]

May 31. **1,050.** Journal of House of Delegates of Maryland. The proposals sent down by the Governor and Council were considered and the following resolutions passed:—(1) As to the excessive expense of Somerset County Court, resolved to address the Governor to reduce the numbers of the Commission in that County, and direct the Justices to choose richer men for constables. (2) As to whether Colonel Talbot ever reimbursed the county his prison fees, we find that he did. (3) As to making a law to prevent seamen, negroes and servants running away, resolved to refer this to the Committee of Laws. (4) As to making a law to lay an imposition on imported wooden wares, and upon sugar and molasses imported by strangers, resolved that such a law would be inconvenient. (5) As to better regulation of the law about constables taking the lists of taxables, resolved that the law needs no amendment. (6) As to a law to compel all persons to ascertain the bounds of their lands, resolved to defer the question to next Assembly. (7) As to an address to the King to lay down the boundary between Maryland and Pennsylvania, resolved that the Committee of Laws prepare such an address. (8) As to enquiry of the reasons that prevented most of the ships this year from sailing earlier, resolved that the reason is that the masters and merchants held their goods at too dear a price and asked excessive rates of freight, and that the House approves the action of the Council therein. (9) As to a law to appoint auditors, resolved that the several Courts of law appoint them, and that their fees be ascertained by the justices when the bills of costs are taxed. (10) As to a law to confirm officers of judicature in their places, and to oblige Collectors and Naval officers to furnish accounts and returns, resolved that the Committee of Laws prepare such a law. (11) As to finishing the ditch and other repairs adjoining it, resolved that John Hammond and Edward Dorsey see to the work, and that the Treasurer pay them 8,000*lbs.* of tobacco for the same. (12) We assent as to the proportioning of the levy this sessions and as to the adjustment of accounts. (13) As to the proposal concerning the issue of commissions in Chancery, we cite what is the

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practice in England. (14) As to establishing a market and fair to be kept in the town, resolved that the act for advancing the port of Annapolis sufficiently provides for this. (15) As to devoting the arms-fund to purchase of books, etc., now that the country is sufficiently provided with arms, resolved to defer the question to next Assembly. (16) As to more equal division and re-naming of parishes, we think the present bounds satisfactory. (17) As to addressing the King to send a cruiser, we see no occasion to put him to the expense of one. (18) As to rewarding and reimbursing Mr. Bray for his trouble and expenses concerning the library, resolved that a letter be written to him. (19) As to establishing a ferry between this and Kent Island, resolved that the expense would be too burdensome to the country. (20) As to the public buildings left unfinished through the absconding of the bricklayer, resolved to defer the question till enquiry can be made. (21) The letters from Mr. Povey, Colonel Andrew Hamilton and Governor Fletcher lie before the House for consideration. (22) John Freeman's petition to the House for settlement of his fees as Registrar in Chancery is rejected. (23) As to sending out an exploring party, resolved that the expense will be burdensome to the country. (24) As to the additional conveniences to the State-house, resolved that it is very proper that they be executed, and orders have been given accordingly. (25) Resolved that it will be very convenient that the arms be ordered from England.

June 1. The Committee of Grievances presented a report recommending an address to the Governor to enlarge the jurisdiction of the County Courts in all personal actions. Bills as to County Court Houses, to add to the Act for recovery of small debts, and for naturalisation of Stephen Francis and George Slacombe read a first time. Leave for a bill to restrain vexatious appeals granted. Message from the Governor asking the House to meet the Council in conference on Indian affairs. The House went up accordingly and heard various reports on the subject. The House agreed with the Governor that the Indians at the head of the Bay should come down to next Provincial Court. Further reports as to the Indians heard, and a Committee of eleven appointed to draw up proposals for a treaty with them.

June 2. Bill as to County Courthouses committed. Bill as to small debts read a second time. On the Governor's proposal, resolved that a bill be prepared to compel the justices of the Provincial and County Courts to read and confirm the previous day's minutes every morning at the beginning of every Court. At the Governor's summons the House again joined the Council upon Indian affairs, when the Committee presented a report, containing their proposals as to the measures to be taken for conciliating the Indians, which were approved. Resolved that the Committee go forthwith to the Piscattaway and Acokick Indians upon a treaty. The proposals were then sent up to the Governor, who said that the Choptico and Nanticoke Indians need not be summoned, as he hoped to visit them himself in the summer. Order for messengers to be sent to warn the Indians at the head of the bay and to summon them to next Provincial Court, and for distribution of ten grenades, ten

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fusils and two spades to each of the captains of the Rangers. The House then resumed.

June 3. The bills as to small debts and County Courthouses were read a third time and passed. Mrs. Herman's private bill read a first time. Message to the Governor that leave of absence had been granted to the members appointed to treat with the Indians.

June 4. Mrs. Herman's private bill passed. On the Governor's proposal, resolved to prepare a bill to appoint two persons in each county near the Indians to settle disputes between them and the English.

June 5. The question of Colonel Talbot's fees referred to the Committee of Laws. Bill empowering vestries to purchase lands for churches read a second time. Mrs. Herman's private bill read a third time and passed. Resolved to address the Council of Trade for a separate convoy for Maryland. The Committee of Laws reported in favour of the Governor's proposals to amend the Militia Act, but added that the present time, owing to Indian disturbances, was unfavourable for altering the present law, and proposed that the suggested amendments be sent to every County, that the people might instruct their delegates thereupon. Resolved to approve the report and send it to the Council. Bills as to executions for public officers' fees, and as to the State-house read a first time, and that for purchase of lands, etc., read a second time and sent up to Council. Bill for reformation of jeofails read a first time. [*Board of Trade.* Maryland, 15. *pp.* 151-173.]

May 31. **1,051.** Minutes of Council of Maryland in Assembly. The Burgesses' answers to the Governor's proposals were received. In answer to the remark as to the Clerk of the Delegates signing as Clerk of Assembly, it was said that he should sign as Clerk of the Delegates in future. The Council assented to the additional conveniences for the State-house. Petitions for payments referred to the Burgesses.

June 1. The following remarks were made as to the answers of the Burgesses:—(1) We do not know how far it may be legal to excuse poor men from being constables. (2) Colonel Talbot has not yet reimbursed his fees. (5) We differ from your opinion that the law as to lists of taxables needs no amendment. (8) You offer no suggestion for preventing the late sailing of ships in future. (17) The Governor complains that the parishes are not well laid out nor named. (18) The Governor declares that the House must be responsible for all blood spilt and damage done by privateers for want of a cruiser. (24) It was not intended that the exploring party should be an expense to the country. Mrs. Herman's petition for cancelling an agreement with a vestry left to the vestry. The Delegates were summoned for a conference respecting the Indians. (*See preceding abstract.*)

June 2. A petition from William Sharp, as security for a merchant, was received from the Burgesses, read and returned to them.

June 3. Message from the Delegates that they adhere to their opinion in the said petition. A proposal put forward as to the records of County and Provincial Courts. Report of the Committtee on Indian affairs, which was approved. (*See preceding abstract.*) Order for copy of the proposals to be sent to Sir Edmund Andros.

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June 4. The Council agreed to a resolution of the Burgesses respecting William Whittington's fees. Bills as to small debts and Church lands read a first time. Message from the Delegates asking that they may not sit till the return of the members who are gone on the mission to the Indians. Instructions to the gentlemen appointed to go upon the said mission. Copy of the letter to Sir Edmund Andros forwarding copies of the proposals respecting the Indians. Bill as to County Courthouses read and an amendment proposed.

June 5. The bills read yesterday were returned to the Delegates. Report of the Committee of Laws respecting the proposed Militia Bill received from the Delegates. Answer to the above report:—The Council does not approve these proposals; the Delegates may consider to have the law passed now, as proposed, and for twelve months to be given for the people to model and fit themselves to it, otherwise the Governor must enforce the present law. He intends to inspect the militia this summer and will take a copy of the old law in one hand, with the officers necessary to enforce it, and of the proposed law in the other, that the people may see that an easier law than the present was proposed to the Delegates, but rejected. A Naturalisation Bill received from the Delegates was rejected, as contrary to the Act of Parliament for preventing frauds. A resolution of the Delegates against an address for a separate convoy read. Bill as to executions for officers' fees read a first time; proposed to insert a clause as to records of the Courts. Bill respecting the State-house read a first time and an amendment proposed. Bill as to Church lands read a second time and amended. Mrs. Herman's private bill read a first time. [*Board of Trade.* Maryland, 14. *pp.* 173-205.]

June 1. **1,052.** Minutes of Council of Barbados. Orders for several accounts to be paid or examined. Order that the ships for London sail on the 10th and that the Bideford go out for six days. Proposed to the Assembly that a good sailing frigate, lately come in, be taken up to assist the Bideford.

June 2. Orders for sundry payments. Message from the Assembly that they thought it unnecessary to take up the ship, as proposed. Bill for payment for the ships hired for the island's service, received.

June 3. The amendments to the powder-duty bill reported, and the bill returned to the Assembly. The Assembly brought up a bill for an impost on liquors. [*Board of Trade.* Barbados, 65. *pp.* 218-221.]

June 7. **1,053.** Minutes of Council of Maryland. A patent was produced granting to Henry Earl of Romney and Mr. John Glover the King's share of all ships, also a commission from the Admiralty for enforcing the same, which were ordered to be recorded.

June 8. The Law-officers reported, on a question submitted to them on the 3rd inst., that the Provincial and County Courts should be warned to take none but good security for all appeals. The question whether the Governor and Council should not take a special oath as judges of appeal was not answered. The Law-officers produced a report as to the prosecution of several navigation bonds, on which the Governor announced that though he had promised to suspend

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that prosecution pending the King's pleasure he had been obliged to revoke it, as several of the parties were endeavouring to make away with their property and so defraud the King. It was thereupon ordered that execution be issued. Order for the King's Collectors to prepare their accounts for transmission to England, and that John West be appointed Naval Officer for Pocomoke. George Plater brought up the accounts of the Revenue. Warrants for payment of the Governor's salary. Two members added to the Provincial Commission. A proposal from the Delegates to enlarge the powers of County Courts was referred to the Law-officers, who reported favourably thereon, and an order was made accordingly. The Justices of the Provincial and County Courts were nominated. (*The names are given in full.*) Order for better care of the arms in Patuxent district. [*Board of Trade.* Maryland, 13. *pp.* 268-279.]

June 7. **1,054.** Journal of House of Delegates of Maryland. The business of Colonel Talbot's fees referred to next Assembly. Order as to completion of unfinished public buildings. Resolved to bring in a bill to appoint two councillors and a delegate of each county to apportion the levy on the 11th of October.

June 8. Bill as to execution for officers' fees read a third time and passed. Bill for reformation of jeofails read a second time.

June 9. The bills sent to the Council yesterday were returned assented to. Bill for redressing the public credit read a first time. Several queries in the Council of Trade's letter laid before the house, and answered as follows :—*4th Query.* Few or no families are come into Maryland to reside—especially from Pennsylvania—and few except single persons removed hence to Pennsylvania. Mostly women are of late come from England and Ireland as servants, about sixty souls. Some of the meaner inhabitants have sought shelter from their creditors in the lower counties in Deleware Bay and the Carolinas, and indeed the low prices paid by the merchants have obliged many of our people to try their fortunes elsewhere. *6th Query.* All the inhabitants being labourers are employed in tobacco-planting, except coopers and carpenters. There are a few sailors and a very few artificers, perhaps one sixtieth of the rest. *7th Query.* We export little to England beyond tobacco, except a few furs and sassafras roots. *8th Query.* The Colony exports little to other Colonies except a few foodstuffs and lumber to Barbados, and rum and molasses to New England. *9th Query.* Our trade ebbs and flows with the fall and rise of the market in England. The crops are less than they used to be, owing to the exhaustion of the soil. *10th Query.* This Colony suffers much from lax enforcement of the Acts of Trade in other Colonies. *11th Query.* The Order in Council of 14 Feb., 1694, continued to be observed by the last fleet that sailed hence, but it is many ways prejudicial and discouraging to our trade. *12th Query.* We think illicit trade has been much reformed by the proclamation of 17th Aug., 1695. *15th Query.* There are quantities of lofty pines in the South of the province, especially on the eastern shore, very fit for masts and yards and growing close to creeks and coves, but there is want of labourers and artificers.

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The tar made here is fitter for wood than cordage, but the inhabitants have occupied themselves little with such things. 16*th Query*. Our only production is tobacco. There is likely to be trouble unless our boundary with Pennsylvania be settled. The Justices of Pennsylvania harbour our fugitive mariners and servants.

The two following resolutions were sent up to Council:—(1) That all inducted parish ministers read prayers every morning at the County Court while the Court continues. (2) If there be two ministers they shall take it in turn at alternate Courts. Address to the Governor praying him to pass the bill for naturalisation of two foreigners already sent up to him. The Council sent down certain questions upon the House's answers to the queries of the Council of Trade, which the House answered as follows:—6*th Query*. We know of no woollen manufactures in Somerset and Dorset Counties, except that the people were driven to make linen and woollen for their own needs from want of goods from England. 8*th Query*. Indian corn and wheat are produced here, but little exported. 11*th Query*. If single ships are obliged to call on the Governor of Virginia, it is a great delay and discouragement to our trade. 12*th Query*. We think that emigration of our people to Pennsylvania is trifling, and that to Carolina due not to the establishment of manufacturers but to the currency of money. 13*th Query*. We think the land at the head of the bay very proper for settlement and wish it were seated. 14*th Query*. We conceive that the poverty of the province is too great to tempt any enemy, and that our present militia is a sufficient defensive force. 15*th Query*. The best way to convert the Indians is for the English to set them a good example and for the clergy to learn their language. As to the answer to be returned respecting the militia of this province, we think the present arrangements will suffice till the proposed alterations can be further considered, and meanwhile we beg the Governor to give commissions to the officers.

June 10. Message from the Governor that he would pass the Naturalisation bill, if a saving clause were inserted as to the Act of Parliament for preventing frauds. The following bills were read and assented to: Church lands bill, Public officers' fees bill, Mrs. Herman's private bill, County Court-houses bill. Several Addresses to the King and Council of Trade read and approved. Public levy bill read; bill to redress public credit read a third time. Orders as to the State-house. Naturalisation bill read and assented to; bill to settle disputes of English with Indians read and assented to.

June 11. The bills sent up to the Council yesterday were returned assented to, with some proposals. Ordered thereupon that smoking tobacco be forbidden, under penalty of ten shillings fine, in the new State-house. Resolutions as to despatch of ships and the public levy sent up to Council. Public Levy bill read a third time. Resolutions as to the care of arms and ammunition sent up to Council and returned, assented to. The House assented to the Governor's proposal that the breeding of Indian youths in schools would be a good method to convert the Indians, if any would be so charitable as to educate them. Officers' Fees bill read a third time and assented to. A committee appointed to enquire as to ferries made its report. Orders for payments. Resolved that a letter be written to Mr. Povey to present the address respecting Navigation

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bonds and promising him due satisfaction for his trouble. The Governor sent down a letter from the Council of Trade, as to the quota for New York and a payment to be made to three ministers. Order for the ministers to be paid from the public funds, the money to be repaid from the King's revenue. Message to the Governor that the House is ready to attend him. The House attending, the Governor assented to eleven bills. Six Addresses were brought up to the Governor and approved. The Governor then said that a late Act of Parliament limited the duration of any one parliament to three years, that this was a good example for Maryland, and that as the present Assembly had already continued three years, he did dissolve it. [*Board of Trade.* Maryland, 15. *pp.* 173-187.]

June 7. **1,055.** Minutes of Council of Maryland in Assembly. Account of the Revenue laid before the Delegates. Messages from the Delegates with their resolutions as to Colonel Talbot's fees, public buildings, the public levy, and that Councillors who hold places of profit shall be paid in money. The Council assented to the first three of them, conditionally, but deferred their decision as to the last. A resolution of the Delegates as to ferries was answered that the Council had no objection, though their own like proposal on the same subject had been rejected.

June 8. The Delegates' answers to the queries of the Council of Trade brought up. The Council's further queries, and the Delegates' answers (*see preceding abstract*). Message from the Delegates proposing to repeal a duty on divers commodities and on offices. Answer enquiring which are the laws under which the duty is levied. Bill to settle disputes with Indians, read a first time. A private bill concerning Henry Wall read a first time. Act for reformation of jeofails read a first time.

June 9. A new member of the House of Delegates brought up to be sworn. Proposals brought from the Delegates as to arms and ammunition. The Delegates' resolutions as to prayers at County Courts received. The Delegates' message and the Governor's answer as to a Naturalisation Bill.

June 10. The Privy Council's letter about the pirate Every read and sent down to the Delegates. Query put whether the militia as now armed are a sufficient land force. The Governor abjured all responsibility for any consequences that might ensue from want of a naval force. Eleven bills and several addresses received from the Delegates and assented to.

June 11. Proposed to the Delegates to empower persons on every river to take charge of letters brought by ships. The Governor's message as to the education of Indian youths. The Delegates' regulation forbidding the smoking of tobacco in the State-house. The public levy bill assented to. The Delegates' resolution as to arms and ammunition brought up. Bill to redress public credit received and returned. Journal of the Committee of Accounts read and passed. The Governor's message as to the quota for New York and the payment of ministers. Answer of the Delegates, authorising the payment of £154 for assistance to New York, conditionally. Bill for that purpose passed. Several bills and addresses passed. The Governor dissolved the Assembly. [*Board of Trade.* Maryland, 14. *pp.* 205-229.]

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June 7. **1,056.** Minutes of Council of Massachusetts. Order for payment of £167 for entertainment of French and Indian prisoners, of £15 18*s.* 0*d.* for provisions supplied to the soldiers, of £1 8*s.* 0*d.* to Robert Gutteridge, messenger of the Representatives, on account of a journey to Plymouth, and of £20 to Jonathan Tyng for keeping an Indian sagamore for four years. [*Board of Trade.* New England, 49. *pp.* 93-95.]

June 7. **1,057.** Journal of General Assembly of Massachusetts. Bill for prosecution of the enemy again read and debated.

June 8. Militia bill passed into an Act. Vote from the Representatives for revival of late Act for Courts rejected, and a new bill ordered, with the words objected to by the Lords Justices omitted. Proposals of the Representatives for abating excise and other duties read. Several inhabitants of Watertown attended and were heard.

June 9. Vote of the Representatives of £20 to Peter Aspinwall and others agreed to. The proposals as to excise again debated. Bill for Courts brought in.

June 10. Bill for Courts read and debated. Bill for raising £4,700 by a tax on polls and estates received from the Representatives and read a first time.

June 11. The tax and excise bills were again debated. Vote for a payment for the maintenance of prisoners agreed to. Order of the Representatives for a Committee to consider the petition of the town of Hatfield agreed to.

June 12. Courts bill and Tax bill debated. [*Board of Trade.* New England, 48. *pp.* 155-159.]

June 7. Whitehall. **1,058.** William Popple to Mr. Tucker. In reply to yours of 29th ult. (*No.* 1,046), I have looked into the papers presented to the Council of Trade upon the occasion of the preparing of a project for a Treaty of Commerce, and I find no more on that subject than was transmitted to Mr. Secretary Trumbull on 5 and 17 April last. But I observe in the close of a letter from the Deputy-Governor of the Hudson's Bay Company an intimation of damages done to that Company in ships and goods, which the Council of Trade had not been directed to enquire after. I wrote, however, again to Mr. Clarke, the Deputy-Governor, for a particular account of those damages, and will forward to you his reply as soon as I receive it. [*Board of Trade.* Plantations General, 34. *p.* 168.]

June 7. **1,059.** Journal of Council of Trade and Plantations. Extracts of several letters from Sir William Beeston to Mr. Blathwayt up to 27 March were read (*No.* 868).

Mr. Thornburgh's letter of 20 May was read (*No.* 1,040). Order for the Secretary to write again to him for a copy of the patent of the Bahamas.

Mr. Basse, upon notice, promised to give the security required of him before his nomination to the Government of the Jerseys should be recommended.

Order for a second letter to be written to Mr. Penn as to the security to be given for his Deputy-Governors in Pennsylvania.

Mr. Lowndes's letter of 14 May with Mr. Brooke's petition read (*No.* 1,025). Two Orders in Council of 11th May as to the laws of New York, and one of 17th as to Bermuda read (*Nos.* 1,010, 1,011, 1,029).

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Mr. Tucker's letter of 29 May read (*No.* 1,046). The Secretary's answer to him of this day was approved (*No.* 1,058).

June 8 The Secretary reported that Mr. Penn had promised to send the answer required of him.

Lieutenant Sydenham presented a petition on behalf of himself and his two fellow lieutenants (*No.* 1,063), and was acquainted, for answer, with the resolution that had been taken. Mr. Brooke presented an abstract from the Custom-house books in support of the prayer of his petition (*No.* 1,064). The Secretary was directed to send both to Mr. Sansom for the report of the Commissioners of Customs.

June 9. A number of Orders in Council of 20 August, 1697, 11 February 1697, 25 March 1697, and one of 31 December, 1696, relating to several of the Plantations, were received and read.

Lieutenant Shanke presented a petition (*No.* 1,069). The Council informed him of the purport of the Order of Council of 11 March last (*No.* 794) upon his case.

Copy of the Marquis of Hamilton's deed received (*No.* 1,070).

The reading of the New Hampshire papers was finished.

June 10. Order that notice be given to the Clerks of the Privy Council to send the Orders in Council either sealed or signed.

On information of a ship going to Bermuda, the Secretary was ordered to inform Mr. Boscawen that the Council is prepared to support his recommendation of Mr. John Kendall to be Governor there.

The Secretary was directed to apply again to Mr. Lowndes for speedy supply of £150 for incident expenses of the office.

On the Memorial of Lord Bellomont as to recruits, etc., the Secretary was ordered to acquaint him how those matters stand.

Order for Mr. Heathcote to be informed that the matter of the Scotch East India Company's establishment in the West Indies will be considered on Monday. [*Board of Trade.* Journal, 10. *pp.* 116-125.]

June 8. **1,060.** Petition of Shadrach Walton, Commander of the fort at Piscataqua, to Council of Trade and Plantations. I came to England by advice of Mr. John Usher to urge upon you the necessity for sending a company of soldiers to New Hampshire, and duly did so. I now hear that the fort has been violently seized by one Hincks. I beg for an order for my expenses, and for me to command the fort as formerly. 1 *p.* *Endorsed*, Recd. Read, 8 June, 1697. [*Board of Trade.* New England, 8. *No.* 108.]

June 8. **1,061.** Petition of Charles Story to Council of Trade and Plantations. New Hampshire is in great confusion by reason of actual rebellion, raising of horse and foot, and seizing of the Government by John Hincks and others. I was ordered to come to England and lay these matters before you, which I did at my own charge, as the annexed schedule shews. I beg that you will give orders for regulating the horrid and illegal proceedings in New Hampshire, reimbursing to me my expenses. 1 *p.* *Endorsed*, Recd. Read, 8 June, 1697. *Annexed*,

1,061. I. Account of Charles Story's travelling expenses from Piscataqua to Boston by land, Boston to Londonderry

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by sea, Londonderry to Dublin by land, Dublin to Liverpool and thence to Chester by sea, and from Chester to London. *Total*, £38 10*s*. Cost of return passage £20. *Total*, £58 10*s*., besides expenses in London and a year's loss of time. ½ *p*. [*Board of Trade*. New England, 8. *Nos*. 109, 109 I.]

June 8. **1,062**. Petition of William Brooke, merchant, to Council of Trade and Plantations. I am the appointed agent of Governor John Goddard, who, as I hear, has fallen under your displeasure for not discharging Mr. Richier from prison on receipt of the King's order. If you will give me opportunity I doubt not to prove to your satisfaction that Mr. Goddard did nothing but his duty therein. He did not suffer Mr. Trott to take execution, Richier having appealed, until Mr. Trott sent to England to complain thereof, and then, being advised that appeal did not stop execution, I gave notice to Mr. Goddard, who thereupon allowed execution to proceed. The King's letter said nothing of Mr. Trott's execution, and I was advised, and I gave Mr. Goddard notice thereof, that it would not justify his discharging Richier from prison. The complaints of other persons have never been mentioned in Bermuda nor heard of here until your report, and I have reason to believe that they are framed by Richier's friends and that Mr. Goddard can answer them satisfactorily. I beg therefore that I may be heard by counsel on the point of law affecting Richier's case, and that I may have time to answer the other matters before Mr. Goddard is recalled. 1 *p*. *Endorsed*, Recd. Read, 8 June, 1697. [*Board of Trade*. Bermuda, 3. *No*. 10.]

June 8. **1,063**. Petition of Lieutenants Shanke, Sydenham and Wright to the Council of Trade and Plantations. Repeating their petition of 13 April (*see No*. 926), with the following addition. On our voyage to New York we met with three French privateers, which so disabled us that we were forced to put into Spain to refit, but being unable to obtain provisions returned to England in November. Application being made to the Queen and Council to refit us for our voyage, subsistence was paid to the two Captains both for officers and soldiers, from 1 August, 1694, to 31 January, 1695, besides provisions on board. At our landing in New York the Captains charged both officers and soldiers for their provisions on board out of that subsistence, showing no order for the same. We beg that this article may be included in your order for examination of our case. 1 *p*. *Endorsed*, Recd. Read, 8 June, 1697. [*Board of Trade*. New York, 7. *No*. 26.]

June 8. **1,064**. Abstract of an account from the Custom-house books showing some allowances made to Jahleel Brenton for his expenses on a voyage from New England to England. Total, for two voyages, £350 12*s*. ½ *p*. *Endorsed*, Presented by Mr. Chidley Brooke. Recd. Read, 8 June, 1697. [*Board of Trade*. New York, 7. *No*. 27.]

June 8. Whitehall. **1,065**. William Popple to William Thornburgh. By Order in Council of 4 February last, of which I sent you a copy on the 13th February, the Council of Trade was required to consider the

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Letters Patent granted to the Proprietors of the Bahamas and their execution thereof. For this purpose I have several times asked you for a copy of the said Patent, but you have not thought fit to supply me with one. I am now to require of you a positive answer to my letters aforesaid, as the Council desires to lay a representation concerning those Islands before the Lords Justices. [*Board of Trade.* Proprieties, 25. *p.* 81.]

June 8. Whitehall. **1,066.** William Popple to Jeremiah Basse. The Council of Trade thinks it expedient that the security required from Governors of Proprieties should be given in here before their names are submitted for the Royal approval. You will take your own measures for expediting what is necessary in your case. [*Board of Trade.* Proprieties, 25. *p.* 82.]

June 8. **1,067.** Minutes of Council of Barbados. George Payne admitted to continue to place clerks in the several Courts of Common Pleas for one month, and James Hannay continued as Marshal of those Courts for one month. Accounts for cost of entertaining the French flag of truce recommended to the Assembly.

June 9. Excise bill read a first time. Militia bill and Powder-duty bill received from the Assembly, also the accounts for the entertainment of the flag of truce, passed. Conferrers appointed to meet the Assembly concerning the bill for Agents. The Assembly requested that the fleet might be detained till the 17th, but the Council ordered it to sail on the 15th. A petition for payment for hire of a ship received. The Conferrers on the Agents bill reported that they had contended that the Assembly should submit four names for Agents, of which the Governor and Council should select two, that the Agents should be continued for as long as the Assembly thought fit, not exceeding two years at once, that their salary should be £250 a year, and that they should correspond with a committee consisting of three Councillors and five Assembly-men. Order for mustering Garth's (late Frank Russell's) regiment. [*Board of Trade.* Barbados, 65. *pp.* 221-223.]

June 9. **1,068.** Minutes of Council of Massachusetts. Order for payment of £20 to Peter Aspinwall and his party of Indians employed against the Indian enemy. [*Board of Trade.* New England, 49. *p.* 95.]

June 9. **1,069.** Petition of Lieutenants Shanke and Sydenham to Council of Trade and Plantations. We served in New York as Lieutenants under Governor Fletcher and have not received subsistence nor clearings for several years. We understand that the Governor is sending over money to discharge the same. We beg that the money may not come to the hands of Governor Fletcher, but may pass under the control of Lord Bellomont. ½ *p. Endorsed,* Recd. Read, 9 June, 1697. [*Board of Trade.* New York, 7. *No.* 28.]

[June 9.] **1,070.** Copy of the Marquis of Hamilton's deed of feofment in certain lands in New England, granted by the great Council of Plymouth, 22 April, 1635. *Certified copy.* 3 *pp. Endorsed,* Recd. Read, 9 June, 1697. [*Board of Trade.* New England, 8. *No.* 110; *and* 36. *pp.* 201-204.]

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[June 9.] **1,071.** Copy of the Order of the Lord Justices in Council of 20 August, 1696, concerning the oaths to be taken by the Governors of the Proprietory Colonies. ¾ *p. Endorsed*, Recd. Read, 9 June, 1697. [*Board of Trade.* Plantations General, 4. *No.* 53; *and* 34. *p.* 169.]

June 9. **1,072.** William Popple to the Secretary of Customs. Referring to him the petition of Chidley Brooke (*see No.* 1,025) and asking to know what has formerly been done by the Commissioners of Customs upon like occasions. [*Board of Trade.* New York, 52. *p.* 144.]

June 10. **1,073.** Memorial of Richard, Earl of Bellomont, to Council of Trade and Plantations. I think it my duty to lay before you the necessity for sending 200 recruits to complete the four King's companies in New York, which are the only standing force which the King has in America. To this end and to avoid parting with so many men from the Army in England, I propose that I may be allowed to raise 200 men here in England. To meet the expense, I would point out that there is a considerable sum now ready to be paid from the Paymaster-General's office for the subsistence of the King's forces in New York, which by all accounts are reduced to less than half their establishment, and I would propose that part of that money be devoted to this end. I learn that a quantity of fire-arms were lately sent to the Governor of New York for distribution to the Five Nations. I am advised that this present would be more acceptable to the Indians if it were made up partly of arms and partly of powder. I beg that Lord Romney, Master-General of the Ordnance, may be empowered to use his discretion in apportioning the said present, to the value of £200. 1 *p. Endorsed*, Recd. Read, 10 June, 1697. [*Board of Trade.* New York, 7. *No.* 29; *and* 52. *pp.* 146-147.]

June 10. Whitehall. **1,074.** Order of the Lords Justices of England in Council. Cancelling a previous order of 11 May; and directing that the Ordnance Office shall deliver to Lord Bellomont such quantity of warlike stores, to the value of £200, as he shall desire, in order to make up an acceptable present to the Five Nations of Indians. *Copy.* 1 *p. Endorsed*, Recd. 18 June, 1697. [*Board of Trade.* New York, 7. *No.* 30; *and* 52. *pp.* 157-158.]

June 10. **1,075.** William Popple to the Earl of Bellomont. With reference to your memorial of this day the matter at present stands thus. Governor Fletcher has been directed to endeavour to keep up the four companies in New York by the continuance of a fund voted by the Assembly for that purpose. The complaints of the Lieutenants against their superior officers have been referred to the general officers at the Horse-guards. The Council of Trade some time ago represented to the King the necessity for punctual payment of the subsistence of the four companies at New York, and very lately, upon a memorial of your own, they have urged particularly to the Lords Justices the expediency of paying the arrears of off-reckonings and subsistence due to these forces, upon your arrival in the province. A proportion of powder and other

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stores was sent with the arms lately despatched to New York. Upon all the heads therefore the Council do not see what more remains for them to do. [*Board of Trade.* New York, 52. *pp.* 148-149.]

June 10. **1,076.** Minutes of Council of Maryland. A second petition of William Sharp, to be allowed to purchase a new writ of error, was read and referred to the law-officers (*pp.* 260, 261). Letter from Sir Edmund Andros read reporting the arrival of two frigates and other ships from England, also letters from the Council of Trade of 1 February, and from the Privy Council of 27 August. Proclamation for the arrest of Henry Every and others. Letter from Captain Andrew Douglas, of H.M.S. Harwich read, reporting his arrival in Virginia, and that his stay was limited to thirty days. Order for this information to be published, for the clearing of homeward-bound ships intending to sail under convoy of H.M.S. Harwich, and for preparing the accounts of the revenue to be sent him by this fleet, and for all accounts of Naval officers and Collectors to be brought in and filed in the new State-house at Annapolis.

Walter Campbell removed from being Sheriff of Dorchester County. Order for two gentlemen to be nominated by the County Court for appointment to succeed William Whittington, removed from being Sheriff of Somerset County. John West's commission as Naval officer was signed, and orders were given for swearing him in. Orders to prepare commissions for Sheriffs. George Plater presented and swore to the shipping lists of his district. [*Board of Trade.* Maryland, 13. *pp.* 279-284.]

June 11. **1,077.** William Thornburgh to William Popple. I shall not fail to lay your letter of 8th inst. (*No.* 1,065) before the Proprietors of the Bahamas at their next meeting, which cannot be expected till after the end of term, upon Lord Bath's account. I conceive that the delay can be no prejudice, since the letters are recorded in the Patent Office, to which you can have recourse any day in the week. [*Board of Trade.* Proprieties, 25. *p.* 83.]

June 11. **1,078.** Minutes of Council of Virginia. The proclamation received from England as to Henry Every and other privateers was read, and copies were directed to be sent to the sheriffs. The letters of the Council of Trade of 24 September, 1696, and 1 February, and of the Admiralty of 26 January, 1696-7, concerning impressment of seamen, were laid before Council. Order forbidding a pilot or any other person to go to any ship upon her arrival, but ordering that he shall give notice thereof, and of the report of the boat's crew sent ashore, to the nearest magistrate. The Governor appointed persons to fill the vacancies among the Coroners. George Williamson was suspended from his office of Surveyor for taking entries in the Blackwater land without authority; and notice thereof was sent to the Trustees of the College. A complaint of a forcible entry on land was heard, and the accused were ordered to attend next Council. Captain Douglas having brought in a prize, it was resolved that the Governor appoint a judge and officers to try her.

June 12. Nicholas Spencer produced his commission and was sworn Collector of the King's dues on South Potomac River, as also

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Peter Heyman for James River; William Trevethan was also sworn Surveyor of the King's Customs on Elizabeth River. Peter Jenings produced a commission from the principal Commissioner of the Prize Office, which was recorded. The Governor read a letter from the Governor of Maryland, dated 4 June, enclosing the relation of certain proceedings of a Committee of both Houses concerning the Piscattaway and Acokick Indians. The Council declared that they did not understand the meaning thereof. A Judge and officers of an Admiralty Court were appointed. [*Board of Trade.* Virginia, 53. *pp.* 65-68; *and* 73-80.]

June 12. **1,079.** Minutes of Council of Massachusetts. Orders for payment of £100 to the Commissioners for war for sundry expenses, and of £20 to the minister of Deerfield. [*Board of Trade.* New England, 49. *pp.* 96-97.]

June 12. Jamaica. **1,080.** Governor Sir William Beeston to William Blathwayt. I have received yours of 19 February. I find that money is scarce and wanting in England, as it is here. If the King had been pleased to order it, £5,000 might have been saved here, and the soldiers would have been better contented to be free and as useful to the country. I know not what to answer about the Commissary, his allowance not being appointed, nor what is to be done with the money in his hands which arose from the sale of perishable and useless goods. I shall take care that the officers make up their accounts the best they can, but there were great expenses and embezzlements too by the former officers, of which they know nothing. I hope that it is not expected of me to take more than a general care, for I cannot keep the store-houses and deliver out the particulars; I do receive the money and pay it to the Commissary when the muster is made up, and take the best care I can that the soldiers have it; but I cannot see every man paid that is quartered forty or fifty miles away. I have had more trouble in my time than all former Governors put together. Everything is much dearer than in peace, and the charge for officers, both for sea and land, has lain on me very considerably, besides the perpetual trouble. Yet I have not been considered in the least, nor have I allowance for anything except £1,000 *per annum* salary, which does not pay for the meat on my table, besides all other charges; so that in the condition I am it is no matter who comes—they will soon see their mistake and that the whole salary to a bigger family will not find their ordinary table, much less bear their charges, for there's not a penny to be gotten honestly here but what comes by the salary. I am sorry, since money is so scarce, that the King was put on the charge of Mr. Lilly. An engineer without men or money is like a man-of-war without guns—useless; and so he is here, and the amount of his salary is thrown away. The same sum yearly laid out in the passage of people here to fill the country would have done us good. We are not so ignorant as Mr. Lilly (to get himself employment) has represented us to be. We, who know all parts of the island, know both where and how to fortify it much better than he, who knows very little of it. We did not need him to point out to us the

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original defects of Fort Charles, but neither he nor we can now alter them without pulling down the whole fabric, which we cannot do, and the times would not permit us to do it if we could. What he says about a moat and palisade about that fort is nonsense, and would endanger the carrying away of the fort by the sea or at least make a lodgment for the enemy to keep us by their small arms from the use of the great guns. If our Agents were the promoters, they have supererogated in this as in stopping the Act, (which by the way loses the King much custom every year as well as grinding the faces of the poor). They would do better to obey their orders from hence than to give their own notions about a place they know only by hearsay.

13 *June*. The Princess Ann and Hollandia came in to-day from Nevill's fleet. They met Pointis's squadron with all the wealth of Carthagena, but were outsailed and took only one ship with 800 barrels of powder and 100 negroes, which is said to be worth £20,000. Mr. Nevill is gone on the coast of Hispaniola in search of them, but we doubt they are out of the West Indies before now and hastening home. All this loss is by the delay of our ships. Had they been here but ten days sooner they had secured all. The French have left Carthagena and brought away the guns, but not demolished the town nor the walls. The galleons we suppose to be gone to the Havanna, whither I guess Admiral Nevill will shortly follow them. Here is no news yet of Colonel Beckford's dormant commission; if I should miscarry it would be our loss, for the Council will never agree if it come to their turn. *Signed*, Wm. Beeston. 1½ *pp. Endorsed*, Recd. Read, 30 September, 1697. [*Board of Trade.* Jamaica, 8. *No.* 58; *and* 56. *pp.* 130-134.]

June 14. **1,081.** Minutes of Council of Montserrat. Jasper Scheurman was bound over to keep the peace. Order for all owners of canoes to keep them chained within fifty feet of one of the forts. Order for Acts to be prepared, to compensate those whose negroes are stolen by privateers, and to entitle all freeholders. [*Board of Trade.* Leeward Islands, 64. *p.* 524.]

June 14. Tregothnan. **1,082.** Mr. Boscawen to William Popple. Yours of 10th having informed me of my obligations to the Council of Trade in respect to Mr. John Kendall, I have written to him this day to wait upon the Council, to whom I return my thanks for their favour to him. *Signed*, J. Boscawen. ¾ *p. Endorsed*, Recd. Read, 21 June, 1697. [*Board of Trade.* Bermuda, 3. *No.* 11.]

June 14. **1,083.** Journal of Council of Trade and Plantations. Mr. Thornburgh's letter of 11th inst. read (*No.* 1,077).

June 17. A paper upon tithes of tobacco in Maryland was read (*No.* 1,090) and referred for further consideration. [*Board of Trade.* Journal, 10. *pp.* 125-126.]

June 14. **1,084.** Journal of General Assembly of Massachusetts. Courts bill debated. Tax bill amended and sent down.

June 15. Courts bill again debated. Bill for an impost and the tax bill ordered to be engrossed.

June 16. Tax bill passed into an Act. Courts bill agreed to and sent down to the Representatives. Sundry small payments voted by the Representatives were agreed to.

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June 17. Two orders of the Representatives as to laying down the bounds of Rehoboth and as to a small payment agreed to, as also a bill to assess the town of Edgarton for arrears of poll-tax. Bill empowering Justices of the Peace to decide differences not exceeding forty shillings proposed.

June 18. Votes for salaries and for sundry small payments received from the Representatives and agreed to. Bills for empowering Justices and for Excise passed into Acts. Bill for Courts and for reviving the Act for precedents ordered to be engrossed. Order for a General Council to meet on the 25th to appoint Justices of the Superior and County Courts. James Taylor sworn Treasurer. Bill as to Watertown rejected. John Walley elected Commissioner for the office of impost, etc. Bills for town-rates and to restrain exportation of provisions, received from the representatives and read.

June 19. Bills to secure the Treasurer for money advanced to the public and to provide for Lord Bellomont's reception, received from the Representatives and agreed to. John Walley, Nathaniel Byfield and James Convers elected Commissioners of Excise. Bills to revive the Precedents Act, to establish Courts, for town-rates, and to restrain exportation of provisions passed into Acts. Prorogued to 21 July. [*Board of Trade.* New England, 48. *pp.* 159-169.]

June 14. **1,085.** Minutes of Council of Virginia. Captain Douglas applying for thirty seamen for H.M. Ships Harwich and Southsea Castle, orders were given to the Collectors and Commanders-in-Chief to make enquiry after seamen in their districts and report to the Governor. On report of Captain Mason that certain Piscattaway and Acokick Indians had made a settlement in the woods on this side Potomac, he was ordered to warn them that it was not safe for them, and to protect them from hurt by any of the inhabitants. Captain Douglas's prize having been condemmed was made over to Auditor Byrd to do what is right in such matters.

June 15. The rule of Court of 1676, directing how process at common law shall be had against a Councillor, was read and referred to the Attorney-General for report. [*Board of Trade.* Virginia, 53. *pp.* 69-71.]

June 15. **1,086.** Minutes of Council of Maryland. Order for the field-officers to inspect the arms, see to their repair, and change the defective arms that cannot be sold. [*Board of Trade.* Maryland, 13. *p.* 284.]

June 15. Whitehall. **1,087.** William Popple to John Ellis. I have informed the Council of Trade of what Mr. Secretary Trumbull required of them; and have already written to Mr. Tucker on the subject (*see No.* 1,058). I am now to inform you that the Council of Trade have nothing more to offer upon that subject with relation to the state of America, either before or since the war, than what was sent to Mr. Secretary Trumbull on the 5th and 17th of April. No answer has yet been received from the Deputy-Governor of the Hudson's Bay Company on the matter referred to in my letter to Mr. Tucker. [*Board of Trade.* Plantations General, 34. *pp.* 169-170.]

June 16. **1,088.** Minutes of Council and Assembly of Nevis. The Council and Assembly agreed to appoint a Treasurer to collect the public debts

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and ship the island's contribution of sugar to England, and to appoint a joint committee to adjust the late Treasurer's accounts. The Council and Assembly agreed to grant compensation for a negro that had died in gaol. The Assembly pressed the Council for an answer to its resolution passed at the close of its meeting on 8 May (*see No.* 1,003). Azariah Pinney appointed Treasurer. The Council returned no answer to a request of the Assembly for a writ for the election of a new Assemblyman in place of Charles Pym. [*Board of Trade.* Leeward Islands, 64. *pp.* 418-419.]

June 17. Barbados. **1,089.** President and Council of Barbados to Council of Trade and Plantations. We now send home our journal of proceedings during the last three months, and have directed our Agents to continue their application for the favours which we have already supplicated. We acknowledge with great thankfulness the King's bounty in sending us stores, which are come very seasonably, but we are under great apprehensions that the arms, for which we sent at our own charge, are miscarried, for the ship that brought the stores brings us also the unwelcome news that on the 5th of May the convoy was attacked and dispersed by four French men-of-war. What is become of them we do not know, for only three ships have arrived here. If misfortune has befallen this long-expected fleet, the island will fall under great disappointments and inconveniences, for we shall have no men-of-war to guard our coasts or convoy our ships, but shall be exposed to the insults and depredations of French privateers every day, in the very sight of our houses, so that we shall have no freight to carry away our sugars nor materials to carry on our sugar-works. Necessaries of all kinds are now so dear and scarce that the sugar-plantations cannot be supported, but must unavoidably sink into ruin, as many have done already, by every one of which the Crown loses a great fee-farm rent. What will consummate our hard fate is the doubling of the duty on sugar, which the commodity can never bear while its price is so low and the charge to make and ship it so high. Indeed, our condition is very deplorable, but for the service of the King and nation we are willing to sacrifice our lives and all that we have. If our fleet and convoy have been unhappy in this engagement, it is absolutely necessary that some other men-of-war and merchant-ships be speeded away for our assistance and supply. We enclose a copy of a letter lately received from Colonel Codrington, which we think it our duty to transmit by the first conveyance. You will find therein some account of the proceedings of Pontie [Pointis] and Admiral Nevill. God grant that they may meet, and then we have great hopes of success. This fleet goes home without convoy, and so will the next if the Norwich and Chatham be disabled. The accounts of the Treasury are not yet ready for transmission to you. *Signed*, Fran. Bond, Prest. 1½ *pp. A short abstract is attached. Endorsed*, Recd. 21st, Presented 23rd, Read 31st Aug., 1697. *Enclosed*,

1,089. 1. Governor Codrington to President Bond. Antigua, 28 May, 1697. Admiral Nevill's fleet anchored here on Monday, 3 May, and sailed next night without touching at any other of the Leeward Islands. On Friday he sent two ships into St. Thomas for pilots and intelligence, which brought off an English master who had

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been taken by the French and carried into Petit Guavos. He was there when Mons. Pontee [Pointis] sailed thence for Jamaica or Havannah or Carthagena. His force departed on the 16th March, being thirty sail in all, ten of them privateers, several tenders, one fire ship, one bomb-ketch and a store-ship of fourteen mortars and 7,000 bombs. On hearing this intelligence our Admiral called a Council of War on Saturday morning and resolved to bear away directly to Jamaica, ordering one ship to St. Domingo and another to San Juan de Porto Rico for intelligence on the way down. They sailed at noon that day. I have this account from a sloop which parted from them at Santa Cruz. Since then a French prize from Martinique has been captured by a privateer of this island, and the captain and men of the prize affirm that by an express from St. Domingo, dated 11 April, they had certain accounts that Mons. Pontee lay there before St. Domingo, besieging it by sea and land, and hoped to master it in a few days. If this be true I hope our fleet may not miss them, but I hope they will lie off that river until their ship comes with intelligence from St. Domingo. They have but six ships of fifty to seventy-four guns, the rest being of under fifty guns. Pontee's ship when in France was of ninety-four guns, but has now but seventy-four mounted, so that if our fleet meet them it will be able to beat them out of the sea. *Copy.* 1 *p.* [*Board of Trade.* Barbados, 7. *Nos.* 34, 34 I.; *and* (*without enclosure*), 44. *pp.* 85-89.]

June 17. **1,090.** An account of the titheables in Maryland and of their rates. Maryland has about 11,000 titheables, of whom about 1,500 are Quakers. Every titheable pays yearly about 60*lbs.* of tobacco to defray public charges. About 1693, Governor Copley and the Assembly laid 40*lbs.* of tobacco on every titheable for maintenance of ministers in every parish and for building churches. This has since been confirmed by Governor Nicholson, and a law to that effect now lies before the Council of Trade. By this addition the inhabitants now pay over 100*lbs.* of tobacco for every titheable yearly. The late Act laying a penny more *per lb.* on tobacco than formerly, together with the 40*lbs.*, on every titheable is so great a burden, besides the trouble and expense of collecting the rate from Quakers for such a purpose will so discourage the people from planting tobacco, that they will fall upon the manufacture of linen and woollen, and cotton-planting, which will "deprey" their dependence on England for these commodities for the future. It is therefore proposed, for the present relief of the inhabitants, who are much oppressed by great charges for building a Court-house and school-house at Severnon "on the sloop side of the bay," that the Lords Justices order the collection of the 40*lbs.* rate for building churches to be suspended until the present subsidy be taken off, which will in some measure abate the charge they now lie under. 1 *p. Endorsed,* Sent to the Board by Mr. Edward Hastwell. Recd. Read, 17 June, 1697. [*Board of Trade.* Maryland, 3. *No.* 24; *and* 9. *p.* 47.]

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June 18. **1,091.** Commission of the Earl of Bellomont as Captain-General and Governor-in-Chief of New York and its dependencies. The Council is to sign the Association prescribed by the Act for the better security of the King's person. The quorum of the Council is to be three. If there be fewer than seven Councillors residing in the province, he may make up the number of the Council to seven and no more. Appeals may be made to the Governor in Council in civil causes where the value appealed for exceeds £100. He may appoint commanders of ships with commissions to execute martial law at sea and in port, but is to have no jurisdiction in the King's ships, though empowered to suspend commanders of the King's ships for not obeying his orders. He is to be Captain-General and Commander-in-Chief of the Militia and of all the forces by sea and land within the provinces of East and West Jersey, with the same powers in respect of them as in respect of those of New York. [*Board of Trade.* New York, 52. *pp.* 190-215.]

June 18. Westminster. **1,092.** Commission of the Earl of Bellomont to be Governor of Massachusetts. The boundaries are fixed by recitation of the Charter of Massachusetts in 1691, and include Massachusetts, New Plymouth, Maine, Acadie or Nova Scotia, and the territory lying between Nova Scotia and Maine. Powers are granted to suspend Captains of the King's ships and to commit them, in which case the commissioned or warrant officer next in seniority will take command. He is appointed Commander-in-Chief of all the forces in Massachusetts, Connecticut, Rhode Island, Providence and the Narragansett Country. [*Board of Trade.* New England, 36. *pp.* 252-259.]

June 18. Westminster. **1,093.** Commission of the Earl of Bellomont to be Governor of New Hampshire. The number of the Council is not to exceed seven. Appeals in civil causes when the value exceeds £100 are to be to the Governor in Council. [*Board of Trade.* New England, 36. *pp.* 273-286.]

June 18. **1,094.** Secretary of Customs to William Popple. Your letter of 9th inst. with Mr. Chidley Brooke's petition has been laid before the Commissioners of Customs. Since he does not derive his authority from them, but from a patent from the Crown, and since his accounts are properly under the cognizance of the Auditor General of the Plantations, Mr. Blathwayt will best be able to judge of the occasion of his coming to England. *Signed,* Jno. Sansom. 1 *p. Endorsed,* Recd. 19th, Read 21st June, 1697. [*Board of Trade.* New York, 7. *No.* 31; *and* 52. *p.* 150.]

June 21. **1,095.** Journal of Council of Trade and Plantations. Mr. Boscawen's letter of 14th inst. read (*No.* 1,082). Mr. John Kendall attending, offered himself as Governor of Bermuda, if approved.

Several packets from Virginia and Maryland came in, with a charge of nearly thirty shillings for postage. Order for a representation that the Council's letters should be free.

Mr. Charles Story applied for assistance in obtaining payment of the expenses of his voyage. Agreed to refer his claims to Lord Bellomont for examination upon his arrival in America.

Mr. Sansom's letter of 18th read (*No.* 1,094). Order for the Secretary to write to Mr. Povey on the subject (*No.* 1,097).

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June 23. Samuel Day presented a petition to be made Governor of Bermuda.

Captain William Holman attended, on the business of his defence of Ferryland in 1694. Order for a representation that his expenses ought to be paid him with such reward as may be thought fit.

Sir Henry Ashurst presented several papers in vindication of the reigning Government of New Hampshire (*No.* 1,096).

June 24. Mr. Vernon's letter of this day as to French engineers in Jamaica read (*No.*1,102). Ordered that warning be given to the Governors of the West Indian Islands thereupon.

Several Orders in Council received, which, not being in authentic form, were laid by and the omission reserved for consideration.

Governor Codrington's letters of 26 March and 1 May read.

Three representations as to Mr. Gray's commission, Captain Holman's claim, and the postage of letters signed. [*Board of Trade.* Journal, 10. *pp.* 127-133.]

June 22. **1,096.** Sir Henry Ashurst to Council of Trade and Plantations. I hear that you have some report of the maladministration of affairs by Mr. Vaughan and Mr. Waldern in New Hampshire. My love of justice obliges me to say that by an uninterrupted information of nine years past I am assured that both of them are persons of the greatest interest in New Hampshire, well-affected to the Government, and of great wisdom and integrity. I am sure that when they have liberty to answer for themselves they will show themselves unworthy of your censure, however they may have been represented to you. *Signed*, Hen. Ashurst. ½ *p. Enclosed*,

1,096. 1. Copies of several letters addressed apparently to Sir Henry Ashurst.

From William Vaughan and Richard Waldern. Portsmouth, 10 October, 1696. Mr. Usher's Government still grievous to us, as we have been free to let him know. He has now suspended us both from the Council till the King's pleasure be known, but lest he should omit to report the matter in England, as required by his instructions, we have enclosed the same herein and beg you to send it to one of the Secretaries of State. ½ *p.*

From the same to the Secretary of State. 10 October, 1696. Transmitting copy of the reasons given by Lieutenant-Governor Usher for their suspension from the Council, with their answer thereto, a declaration signed by the principal Justices of the Peace, and a few lines from the rest of the Council. They beg that these may be laid before the King, whose decision they patiently await. ½ *p.*

Copy of Lieutenant-Governor Usher's reasons for the suspension of Vaughan and Waldern, viz. their refusal to take the oath of allegiance and to sign the Association prescribed by Act of Parliament. ½ *p.*

Answer of Vaughan and Waldern to Lieutenant-Governor Usher's reasons above given. We know of no summons to take the oath of allegiance nor ought there to have been any. The oaths of allegiance and supremacy have been abrogated by Act of Parliament; the oaths substituted for them we took in Council, and we were of the Committee which drew up a bill to oblige all the inhabitants to take

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them. We also took the said oaths before one of the appointed Commissioners, not being able to find both, and hearing that the Lieutenant-Governor was displeased thereat we signified our willingness to take them again. As to the Association, we expected to sign it together with the Governor and Council, and thought it improper for Councillors to sign an Association with the rabble. ¾ *p.*

Deposition of George Jaffrey, justice of the peace, confirming the above statement as to the oaths and Association. ½ *p.*

Peter Coffin, Robert Eliott and Nathaniel Wear to the Secretary of State, 12 September, 1696. We believe that Mr. Vaughan and Mr. Waldern were suspended more from the Lieutenant-Governor's prejudice than for any fault. They have always demeaned themselves well in Council, and there are none in the County better qualified to sit therein; and we beg that the King may be acquainted hereof. ½ *p.*

The Revolutionary Council of New Hampshire to [Sir Henry Ashurst], 16 February, 1696-7. By the arrival of Lieutenant-Governor Partridge we are advised of the good news of Mr. Usher's removal, and Mr. Partridge's being put in his place gave us a prospect of peace and quiet. But Mr. Partridge finding himself exposed, under a late Act of Parliament, to a penalty of £1,000 if he should enter on the Government until he had taken an oath enjoined by that Act, and being assured that Mr. Randolph was coming over to administer that oath to all the Governors, deferred the publication of his commission and assumption of the Government. Mr. Hincks therefore (according to Mr. Allen's order) has received his commission as President, and together with the Council carries on the Government till Mr. Partridge shall be sworn. Mr. Allen sent over a Mr. Charles Story in the same ship as Mr. Partridge, with a recommendation as Secretary and Clerk of Council and a commission as Judge of Admiralty. At the first sitting of Council he was readily admitted Secretary and Clerk. His commission as Judge was also recorded, and he received from us assurance of our civility, countenance and respect. But we quickly found him undeserving thereof, for, besides being proposed by Mr. Usher as he passed through Boston, he has made no companions here but Mr. Redford and Mr. Packer, two malcontents of Mr. Usher's party, notwithstanding a caution as to this company both from Mr. Partridge and Mr. Hincks. With them he went to Exeter and Hampton, and there tried to insinuate to the people that the present power was not good, and invited Mr. Usher to return. Next Council-day he did not appear, but on the day following he attended Mr. Hincks by order, who rebuked him for so early neglecting the King's service. He answered with lofty and indecent carriage that he had been cautioned at his peril against acting with us, but refused to say whether it was by Mr. Usher or not, though he had informed one of the Council that Mr. Usher had forbidden him to act, and designed to come to the Province speedily. The Council then ordered him to give up the records and papers of his office, and on his refusal ordered him to be taken into custody, and his books and records to be searched for. They were quickly found and brought to the Council, when he was again called in and told that the Council had recovered its books, and that he was dismissed from his office of

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Clerk, but that he would be recognised as Judge of Admiralty. He answered that he was betrayed, and that if the Council would help with money to carry him home he would leave his Commission of Judge in their hands, and depute any person that they chose to execute the office; but the Council took no notice of it. A few days later Mr. Usher came to Hampton, and in the Church announced that he had been sent for, and that his power still continued, and sent warrants for the militia to appear in arms and for the Council to attend him. As no obedience was shown he left the province that afternoon, and we hope has taken his final farewell. On his first appearance at Hampton it was thought meet to confine Story and Redford to their lodgings, and a correspondence was found between Redford and Usher for disturbing the province. But after Usher's withdrawal they were dismissed, and are since gone to Boston, leaving the province in peace and quiet. We have given you a particular relation hereof, as Mr. Story, by Mr. Usher's advice, may return and lodge a complaint, though never was man in his circumstances more civilly treated by persons in ours. The office of Judge of the Admiralty in the hands of a well-disposed man may be very advantageous, but in those of a disaffected, ill-tempered person it may produce ill effects. We hope that you will find out if anything is offered against us at the Plantation Office or elsewhere, and, if so, appear on our behalf. *Signed*, John Hincks, Nath. Fryer, Peter Coffin, Robt. Eliott, Henry Green, Nath. Wear, Wm. Vaughan, Rich. Waldern. 2½ *pp. The whole endorsed*, Recd., 23 June, 1697. [*Board of Trade.* New England, 8. *Nos.* 111, 111 I.]

June 22. **1,097.** William Popple to John Povey. Referring the petition of Chidley Brooke (*see No.* 1,025) to him, for his report as to what has been the customary allowance to collectors on such occasions. [*Board of Trade.* New York, 52. *pp.* 151-152.]

June 22. New York. **1,098.** Governor Fletcher to Council of Trade and Plantations. I have received yours of 1 February and the duplicate of yours of 25 September. I have given orders to the Justices of the several counties to enable me to answer your queries. I shall not fail to give an account of the province and of my suggestions for its advantage. We are very grateful for the stores of war which your care has sent to us. I endeavoured in March last to persuade the Assembly to grant a supply for the encouragement of the soldiers, as formerly, and acquainted them that, since the money had been paid into their own hands, not a man had deserted; but I could not prevail with them. They have raised a fund for levy-money to recruit only three companies at Albany for twelve months from the 1st of May last, with three pence a day instead of four pence as last year. This husbandry has so discouraged the men that many have deserted, and I find greater difficulty in making up the complement. They have had no regard to the company quartered here, though upon all occasions I have detached part of them to Albany. Part of them were there with me all the winter, and I have detached part of them to strengthen H.M.S. Richmond upon extraordinary occasion, such as the presence of a French man-of-war on the coast. Since the

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Act was passed, twenty-five men have deserted from the fort. I send hues and cries and officers after them into the neighbouring provinces, but very unsuccessfully. I hope the King's commands will prove effectual. I suggest that 150 recruits be sent from England or Ireland against next May, and then those annually enlisted may return to their labour, which in this country brings them in three shillings a day, and holds no proportion to their pay. A smaller number will be required annually to keep the companies full afterwards. Our winters are extreme cold and long, and the men are there in great misery from want of clothes. It is now five years since the two old companies had full mounting. I shall carefully observe your orders as to deserters and fugitives in this province. I brought over with me, by order, the draft of a bill against piracy which was enacted here, to be of force for some time. This Act gave pardon and liberty to all who should come into the province within that time and give bond for good behaviour and not to leave the province without licence. Within that period a ship commanded by one Coates, which had been taken from the French, was condemned and sold during Leisler's usurpation. Hearing that Leisler was dead they threw a great deal of East India goods overboard, and most of them separated, leaving the ship at the east end of Nassau Island. I advised with the Council on the matter, and on their opinion she was brought into New York, when the men that were in her had the benefit of the Act and gave bond accordingly. There have been no others since come into the province. Captain Tew brought in no ship to this port. He came as a stranger, and came to my table like other strangers who visit the province. He told me he had a sloop well manned, and gave bond to fight the French at the mouth of Canada river, whereupon I gave him a commission and instructions accordingly. I have given private commissions to others of like nature who have done service against the enemy. An Irishman, one Hoare, holding a commission from Sir William Beeston, took a considerable prize, loaded with sugar and indigo, from the French, which he took into Rhode Island and there disposed of the cargo. Finding the prize to be fitter for his purpose he shifted on board of her and applied to me for a commission to go against the French at the mouth of Canada River and on the banks of Newfoundland, which I gave him, taking security for his obedience to my instructions. I have heard no more of him since. It may be my misfortune, but not my crime, if they turn pirates: I have heard of none yet that have done so. One Captain Kidd lately arrived and produced a commission under the Great Seal of England for the suppression of piracy. When he was here many flocked to him from all parts, men of desperate fortunes and necessities, in expectation of getting vast treasure. He sailed from hence with 150 men, as I am informed, great part of them from this province. It is generally believed here that they will get money *per fas aut nefas*, and that if he misses the design named in his commission he will not be able to govern such a herd of men under no pay. Mr. Caleb Heathcote is not to leave the province, and has given directions for taking out his warrant. He has been very useful, has advanced his private fortune for the King's service on an emergency when there was no money in the Treasury, and is

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zealously affected to the King's Government and interest. The orders given concerning the frigates that attend this coast must be of service. The provision-ships that fall into the enemy's hand for want of convoy are a great strength to them, as they would not otherwise be able to fit out so many privateers for the West Indies. Provisions are expected from hence at all seasons of the year. Even in the winter, when there is ice, a vessel outward-bound will find an opportunity of wind and weather to put to sea, when strangers dare not venture upon our coast. When your methods are publicly known, the merchants will order their affairs to the greatest safety and the least hazard. I observe your directions to look after the Captains of the King's ships here. I have been several times on board the Richmond, and have seen her well manned. Her lying up for so many months of the winter and the little convenience that we have for careening and fitting such ships occasions great expense to the King and little advantage to us, our protection from November to March being the North-West winds. I have not heard of the Captain's baking or brewing for any ship but his own, and have observed him to be not negligent of his duty. I shall take care to provide the King's ships with men and to check any irregularities of impressing, to the hurt of trade. I was obliged to put myself into Albany for the winter, and remained there until March, which gave the inhabitants great satisfaction and kept them together. I have been at great pains to gain the hearts of the heathen, and have as much of their esteem as any Governor had before me. I have taken the chief Sachems to my table. Some of the principal men of the Five Nations came down from the river to visit me, whom I treated with all kindness and courtesy. I sent them on board our largest ships and caused the guns to be fired; and, the King's birthday happening at the time, I ordered the guns to be loaded with ball, to shew them how far they would carry on the river, caused grenada-shells to be fired before them and let them see the armoury. I ordered six horses to be put into my coach and made my coachman drive them round the city and into the country to take the air, by which they were extremely obliged. I dismissed them finally with considerable presents, at which they expressed great satisfaction. When I came down from Albany last fall two of the Indian princes followed me, having some idea of going to England, but altered their minds. About three years ago I had for over twelve months in my family the son of a great warrior who died brave in an engagement against the French, and put him to school. He can talk both Dutch and English, but of late his mother came down and enticed him away to kindle his father's fire and build up his house. The Associations sent in from Whitehall were of two sorts and came by different conveyances, which caused some mistake, but they were both signed and returned. I was glad to hear of the arrival of our Acts. Several packets have been lost since the war. I hope those by way of Virginia arrived safely. As to the complaints given against me, I thank God I have a clear and undisturbed mind and shall be able to vindicate myself. Some time before I came down from Albany two small towns of Rye and Bedford in Westchester County adjoining Connecticut, being much in arrears of taxes, revolted to Connecticut, which countenances them,

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though they were part of New York province at my arrival and have remained so until now. This is contrary to a stipulation made between Connecticut and Governor Dongan in 1683, and signed and sealed by the Governor and Court of Assistants. I am loth to make war on any of the King's subjects, so lay the matter before you. They have invaded us with a captain and fifty men on horseback, armed with fusils, to disturb the election of a representative, pursuant to the King's writ, at Rye. I never found them so forward to give assistance to Albany on the approach of an enemy, notwithstanding my frequent applications and the King's commands. I have desired them not to countenance these irregularities, but to suffer these towns to remain as they were until you give your decision, but they will not hearken unto me. *Signed*, Ben. Fletcher. 7 *pp. Endorsed*, Recd. Read 16 Sept. 1697. [*Board of Trade.* New York, 7. *No.* 32; *and* 52. *pp.* 261-272.]

June 22. **1,099.** Minutes of Council of Barbados. The Council was summoned to advise as to the mounting of the mortar pieces and the care of the stores sent by the King; and (in view of the news of the fall of sugars and a new duty) whether it be not necessary to instruct the agents to represent the islands' deplorable condition to the Council of Trade. Order for the fleet to sail positively on the 26th inst. The Powder-duty Bill was received from the Assembly, with the amendments agreed to, and was thrice read and passed. [*Board of Trade.* Barbados, 65. *p.* 223.]

June 23. **1,100.** Petition of Samuel Day to Council of Trade and Plantations. Begs to be recommended to succeed Mr. Goddard as Governor of Bermuda, his education and constant employ in trade having qualified him to serve the King in divers capacities. ½ *p. Endorsed*, Recd. Read, 23 June, 1697. [*Board of Trade.* Bermuda, 3. *No.* 12.]

June 23. Whitehall. **1,101.** James Vernon to Council of Trade and Plantations. The King having been informed that the Company of foot in Jamaica might be of greater use and less cost if disbanded, is inclined to disband them accordingly, but before giving a final decision desires your opinion to be laid before him. The Lords Justices being informed of this, desire you to report your opinion hereon. *Signed*, Ja. Vernon. ½ *p. Endorsed*, Recd., Read, 23 June, 1697. [*Board of Trade.* Jamaica, 8. *No.* 59; *and* 56. *p.* 108.]

June 24. Whitehall. **1,102.** James Vernon to Council of Trade and Plantations. One who pretends to write advices from Paris has lately mentioned that some able engineers have been sent to Jamaica, being some of those who served in the French army in Piedmont. Being able to speak Italian they intend to pass for such, and under that disguise to carry on the French designs in these parts. I know not how far this is to be depended on, but it may be fit to be communicated to the Governor of Jamaica, that he may keep a more watchful eye on strangers. *Signed*, Ja. Vernon. ½ *p. Endorsed*, Recd. Read, 24 June, 1697. [*Board of Trade.* Jamaica, 8. *No.* 60; *and* 56. *pp.* 108-109.]

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June 24. **1,103.** Memorandum of the receipt of a memorial of the Jamaica Agents as to all passages between the English and French in that island since 1667. ½ *p.* [*Board of Trade.* Jamaica, 8. *No.* 61.]

June 24. **1,104.** Memorandum of the receipt of a letter from Messrs. Cole and Merrett as to the invasions of the English in Newfoundland by the French since 1667. *Dated,* 24 June, Recd. 29th. Read, 30th. ½ *p.* [*Board of Trade.* Newfoundland, 3. *No.* 79.]

June 24. Whitehall. **1,105.** Council of Trade and Plantations to the Lords Justices of England. We have examined the statements, depositions and accounts of William Holman, and are satisfied that they are true. We think that his expenses, £345, should be made good to him, and leave his claim of £150 for loss of his fish to your decision. *Signed,* J. Bridgewater, Tankerville, Ph. Meadows, John Locke, Abr. Hill. [*Board of Trade.* Newfoundland, 25. *p.* 119.]

June 24. Whitehall. **1,106.** Order of the Lords Justices of England in Council. That William Holman's petition be recommended to the Lords of the Treasury for such satisfaction for his expenses and loss as they shall think fit. ¾ *p. Endorsed,* Recd. Read, 7 July, 1697. [*Board of Trade.* Newfoundland, 3. *No.* 80; *and* 25. *pp.* 121-122.]

June 24. Whitehall. **1,107.** Order of the Lords Justices of England in Council. Approving the draft commission to Ralph Grey as Governor of Barbados, and ordering it to be prepared for the royal signature. *Copy.* ½ *p. Endorsed,* Recd. Read 7 July, 1697. [*Board of Trade.* Barbados, 7. *No.* 35; *and* 44. *p.* 74.]

June 24. Whitehall. **1,108.** Council of Trade and Plantations to the Lords Justices of England. Submitting a draft commission for Ralph Grey as Governor of Barbados. *Signed,* J. Bridgewater, Tankerville, Ph. Meadows, Jo. Locke, Abr. Hill. [*Board of Trade.* Barbados, 44. *pp.* 61-62.]

June 24. **1,109.** Commission to the Hon. Ralph Grey to the Governor of Barbados, St. Lucia, Dominica, St. Vincent and the rest of the Caribbee Islands lying to windward of Guadeloupe. [*Board of Trade.* Barbados, 44. *pp.* 146-162.]

June 24. **1,110.** Minutes of Council of Maryland. Colonel Jowles excusing himself from attendance in Council, it was ordered that the broad seal be taken from him and delivered to any gentleman of the Council who will live in town, owing to the inconvenience to public business of its being kept in a little counting-house. David Kennedy, producing his deputation from the Commissioners of Customs to be Collector, was sworn. Instructions were then given to him and orders given for the records of his office to be delivered to him. Letter from Sir Edmund Andros read, complaining that the Maryland Committee should have taken measures as to Indians in Virginia without consulting his Government. An answer to him was approved, to the effect that the Maryland gentlemen had orders to report their proceedings to him. The papers of Robert King, naval officer, deceased, were received and ordered to be

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handed to his successor. Journal of the messengers sent to the Indians read, and ordered to be entered. It reported a satisfactory interview with the chief, who promised to return shortly to Maryland. The letters written by these gentlemen to Sir Edmund Andros were also entered. [*Board of Trade.* Maryland, 13. *pp.* 287-296.]

June 24. **1,111.** Minutes of Council of Massachusetts. Leave granted to Henry Dering to erect a crane-house on his wharf at Boston. Order for payment of £8 5*s.* to Elizabeth Walker for a public dinner and entertainment of the Lieutenant-Governor and Council at the opening of the General Assembly.

June 25. Justices for the several Courts appointed. For the Superior Court, William Stoughton, Thomas Danforth, Wait Winthrop, Elisha Cooke and Samuel Sewall; also four Justices for each of the ten County Courts. The instructions to the Commanders of the soldiers sent to New Hampshire were read and approved. A Committee appointed to provide for the entertainment of the Earl of Bellomont. [*Board of Trade.* New England, 49. *pp.* 97-100.]

June 26. **1,112.** Minutes of Council and Assembly of Nevis. The Council refused to issue a writ for the election of an Assemblyman in place of Charles Pym. The Assembly agreed that the new Treasurer's commission on outstanding debts collected should be 8 *per cent.*: and a joint Committee was appointed to adjust the late Treasurer's accounts. Message from the Assembly to the Council pressing again for an answer to their resolution of 8 May, and for the Council's reasons in writing for dissenting from them. The Council answered that the matter had been referred to the Governor. Protest of the Assembly against the Council's action in refusing to issue a writ for election of an Assembly-man, as requested. [*Board of Trade.* Leeward Islands, 64. *pp.* 420-422.]

June 28. Virginia. **1,113.** Clerk of House of Burgesses of Virginia to Council of Trade and Plantations. Forwarding duplicate of the journal of the General Assembly begun on 24 September, 1696. *Signed,* Peter Beverley. ½ *p.* *Endorsed,* Recd. 16 Sept., 1697. [*Board of Trade.* Virginia, 6. *No.* 22.]

June 28. Virginia. **1,114.** The same to the Duke of Shrewsbury. To the same effect. [*America and West Indies.* 638. *No.* 28.]

June 28. St. John's, Newfoundland. **1,115.** Colonel Gibson to Council of Trade and Plantations. We sailed from St. Helens on Saturday, 17 April, and all arrived here on 7 June, except the hospital-ship and a small French banker, her prize, which have since arrived. We were very uneasy for some time at hearing nothing of our store-ships and provision-ship, but they came in here yesterday at last under convoy of the Portland and a fire-ship. H.M.S. Bonadventure, which came with them to Trinity Bay, has put into Trinity Harbour to make good defects, and I have been much concerned to hear that the masters of the three ordnance-store ships have been obliged to serve out full allowance of provisions from the time they went on board till their arrival here, so that their three months' full provisions, which ought to have lasted four months and a half, are already expended.

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The want of materials at our first arrival was very prejudicial to us. We could command neither spade, shovel nor pickaxe, so that it was with much ado that, with the help of the grenadiers' hatchets, we made huts to shelter the men; but now that the store-ships are come, all hands shall be set to work. Several of the inhabitants have been to us from Conception Bay, Trinity Bay and Bonavista, but we hear of nothing but destruction from them all, for nothing escaped the barbarous fury of the enemy but Bonavista and the little island of Carbonere. The last defended themselves bravely, which, in my opinion, was partly the reason why the enemy did not go so far as Bonavista. To southward of this there is not an inhabitant left but two or three in the Bay of Bulls, and two at Brigos by South and from there to Trepasse, which is the Southmost of the English Plantations. There is not a living soul left, yea not at Ferryland, which was always looked upon (as I am told) as the best harbour and the pleasantest place in the whole Island. However, when we have secured this, I mean to go to Ferryland with a part of my regiment and secure that also, which may possibly encourage the people to settle there again. There are several other places to southward of that which in my humble opinion ought to be secured, for if we do not I fear the enemy will, before next spring, if a happy peace does not prevent it. I am afraid that, the summer being so far spent and our provisions like to fall short, I shall not have time to do what I would for the security of the harbours formerly possessed by the English; and it were ten thousand pities but that care were taken of them. For though the continual fogs make approach to the island difficult, there are not better harbours in the world. All that I heard in England as to the advantage of the country is not comparable to what I have seen during my three weeks ashore here. I see little difference in the climate, nor do I believe that what grows in England will not grow here, for such a quantity of strawberries I never saw nor heard of. The few meadows within two miles of this place are full of them and of currants, both red and white, and raspberries growing wild in the wood. But all this has not sufficed to make the inhabitants cultivate the ground, for they apply themselves wholly to fishing, which gives them vast advantage, and far more than they could make by labouring the ground. You know how many debates there have been for and against a Governor here, nor shall I concern myself therein, but it is too evident that the want of a good Governor has been the ruin of a great many families in the country who were in a very flourishing condition. Let the King do what he may, unless there be some government settled—I do not mean a military government but the civil and Church government also, for in the little time that I have been arming them, the people have lived more like heathens than Christians—[he will accomplish nothing]. I shall write further by next opportunity and indeed was unwilling to write by this, only as a ship was going to Bristol I thought I could not do less than give you this account. I believe that the Commodore has written to the Admiralty about the fleet. *Signed*, J. Gibson. *P.S.*—Commodore Norris goes cruising to-morrow for twenty-one days, by which time we shall be ready for Ferryland. I begin to fear the want of

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provisions. We are now at half allowance of bread and short allowance of all other. 2¼ *pp. Endorsed*, Recd. Read, 4 Aug. 1697. [*Board of Trade.* Newfoundland, 3. *No.* 81; *and* 25. *pp.* 123-127.]

June 28. **1,116.** Memorandum of a memorial from the Agents of New York relating to what has passed between the English and French on the confines of that province since 1667. ½ *p. Inscribed*, Recd. 28, Read 30 June, 1697. [*Board of Trade.* New York, 7. *No.* 33.]

June 28. **1,117.** John Povey to William Popple. In answer to your letter of 22nd inst. (*No.* 1,097), Mr. Brooke has been employed as Receiver in New York ever since the war, and the province being a frontier to the enemy, the levies made during his tenure of the office have been much greater than in the time of Mr. Santen and Mr. Plowman, his predecessors, who had not the occasion to make such demands as he has made. 1 *p. Endorsed*, Read 6 July, 1697. [*Board of Trade.* New York, 7. *No.* 34; *and* 52. *p.* 156.]

June 28. **1,118.** Memorandum of the receipt of a letter from Richard Cary relating to the memorial lately given in by the Agents for the Leeward Islands. ¼ *p.* [*Board of Trade.* Leeward Islands, 5. *No.* 46.]

June 28. **1,119.** Petition of John Usher to Council of Trade and Plantations. I was treasurer of New England under Sir Edmund Andros until the Revolution, which prevented my accounts from being adjusted. On 26 March, 1694, an Order in Council was granted, on my petition, for the audit of my accounts and the payment of the balance due to me. A committee of the Council of New England was accordingly appointed, and after strict examination found the balance due to me to be £851; yet, owing to some prejudice of Sir William Phips against me, this sum has never been paid to me, but has been detained now for more than eight years. I beg for your order that Lord Bellomont take the foregoing into consideration, and that the aforesaid balance with interest thereon may be paid to me. 1 *p. Endorsed*, Presented by Mr. Wesendunk. Recd. Read, 28 June, 1697. [*Board of Trade.* New England, 8. *No.* 112; *and* 36. *pp.* 205-206.]

June 28. **1,120.** Journal of Council of Trade and Plantations. Order in Council of 24th upon the subject of postage read. Order for it to be sent to the Secretary of the Treasury, with a reminder as to payment of the salaries and allowances of the Commission.

Mr. William Brook presented some papers in favour of Governor Goddard of Bermuda.

Mr. Wesendunk presented a petition on behalf of John Usher (*No.* 1,119). The Council directed that the Order in Council therein mentioned be laid before them.

Mr. Gilbert Heathcote and other Jamaica merchants attended, and all concurred in the expediency of disbanding the foot soldiers in Jamaica. Order for a representation to be drawn up accordingly.

June 30. Lord Stamford recommended the appointment of Samuel Day to be Governor of Bermuda.

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Samuel Clarke's letter of 29th read, asking for further time to answer the enquiries put to him. Several memorials as to the past relations between the English and French in the various Colonies, with a view to the Treaty of Peace, were read.

Order for Mr. Dampier, who hath lately printed a book of his voyages, to attend on Friday next, and to give notice to Mr. Wafer, that they may be examined as to the design of the Scotch East India Company to make a settlement on the isthmus of Darien.

July 1. Mr. Vernon's letter of this day as to criminals awaiting transportation read (*No.* 1,134). Order for the Secretary to make inquiry of the Agents of all the Colonies thereupon.

July 2. Mr. Dampier and Mr. Wafer attended, and gave an account of the isthmus of Darien and the country between it and Porto Bello, which they were desired to draw up in writing.

A letter from Mr. Vernon, with Governor Fletcher's letter of 9 November last to the Duke of Shrewsbury, was read.

Letters to the Governor of the West Indian Islands were signed by the four Commissioners present, but were ordered not to be despatched until signed by a fifth hand.

Lord Tankerville brought back Mr. Grey's instructions, with the request that the proportion of salary to be paid to him since the date of Governor Russell's death might be fixed thereon. The Secretary was ordered to search the records to ascertain what has been usual in such cases. [*Board of Trade.* Journal, 10. *pp.* 134-143.]

June 29. **1,121.** Memorandum of receipt of a letter from Samuel Clarke, Deputy-Governor of Hudson's Bay Company, deferring their answer to enquiries as to their relations with the French since 1667. *Scrap. Inscribed,* Dated and recd. 29th. Read, 30 June, 1697. [*Board of Trade.* Hudson's Bay, 2. *No.* 15.]

June 29. Bermuda. **1,122.** Governor Goddard to Council of Trade and Plantations. I received yours of 12 February at the end of May. I have already sent you an account of the Island. The Acts are in Mr. Blathwayt's office. The names of the Council are, William Peniston, Gilbert Nelson, Richard Peniston, William Outerbridge, John Tucker, Samuel Spofforth. I recommend William Tucker, Daniel Johnson, Benjamin Wainwright and Samuel Sherlock as fit persons to be appointed to the Council. I have had news of the fleet under Admiral Nevill touching at Barbados and sailing thence by the Leeward Islands, and I heartily wish them success. I am glad to hear that the King is sending out an Engineer. As soon as Mr. Heberland arrives I will shew him such civility as this poor place affords. Your orders as to pirates shall be faithfully observed; none shall be sheltered in Bermuda while I am Governor. I hope that at your leisure you will give consideration to my letter of 30 July, for Mr. Richier is such a person that he will neither come to terms with me nor comply with the Order in Council of 19 December, 1695, which commands him to give the security of £2,000. This he refuses, as I have already written to you. The papers that I now send are of the nature of a journal, wherein you will find that since Mr. Trott's arrival he has been the greatest villain to me and to the whole country. There are persons

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here so factious in their natures that unless they be sent for home and punished no Governor can live easy. Let them commit what disorders they will, they will not punish one another, and God knows I have but a lame Council, nor can the country afford a better. I think that the six persons who signed a petition to the Council and left me out, though I was actually in the Council, should answer it at Whitehall, for here it is not in my power to punish them. Their names are Nicholas Trott, Anthony White, Samuel Trott, Florentius Cox and Thomas Dunscombe. Five of them are bound over to good behaviour and to answer for their contempt at the next General Assize. Mr. Trott is not taken yet, but, as I am informed, is endeavouring to escape to Providence, a receptacle for all rogues. Let me point out that the two Judges, Peniston and Dorrill, endure to be called rogues and other villainous expressions by Trott, and tell me that it is not worth their while to meddle with him. They are both men of circumstance, and I wish they might give their reasons at Whitehall. I assure you they both deserve to appear there. I hear that there is a petition sent home against me, drawn by that villain Trott on behalf of one Mary Vaughan, who is his wife's aunt, a woman of that infamous and scandalous life that in any of the Plantations but Bermuda she would be whipped at the cart's tail. I beg therefore that I may be heard before you judge of the petition, which is as false and scandalous as the woman is. By next conveyance I will send you an account of the births and christenings for 1696 and 1697, also an account of the receipts and expenditure. *Signed*, J. Goddard. *Holograph.* 2¼ *pp. Endorsed*, Recd. Read, 16 Sept. 1697. [*Board of Trade.* Bermuda, 3. *No.* 13; *and* 29. *pp.* 41-45.]

June 29. Bermuda. **1,123.** Governor Goddard to the Duke of Shrewsbury. I think myself bound in honour to send you the three enclosed affidavits, for should I have heard one of your honour and quality spoken of in such scandalous language and not reported it, I should be almost an equal offender with him that uttered it. He has urged me here with very villainous language. I threw him into gaol for it, but he got bail. If any fellow deserves to be hanged, he does. I hope that you will send for him home to be punished. I have written to Lord Bridgewater and sent him the affidavits. *Signed*, J. Goddard. ¾ *p. Enclosed*,

1,123. 1. Declaration of John Goddard. That he heard Nicholas Trott, jun., say of three Lords of the Committee, who threw out his costs, that they had been bribed, or that Mr. Blathwayt had been if they had not.

Attestation of Gilbert Nelson as to the words spoken by Nicholas Trott, and as to his naming the three lords to be the Duke of Shrewsbury, Lord Bridgewater and Lord Stamford.

Attestation of Thomas Brooke in confirmation of the foregoing. *The whole*, 2½ *pp.* [*America and West Indies.* 477. *No.* 54.]

June 29. **1,124.** Minutes of Council and Assembly of Antigua. Message of the Council to the Assembly setting forth that no person has known how legally to obtain redress for wrong, owing to the delay

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in passing the Act to establish Courts and in amending the Act for a prison, and urging that these matters be taken in hand without delay. Answer of the Assembly, requesting the appointment of a joint Committee to report as to the Act for Courts, and suggesting that the Country's house, recently purchased, might easily be converted into a gaol, and that this matter be left for the Speaker to examine. The Council concurred and appointed members for a joint Committee. The Assembly sent up two bills of charges for the entertainment of Admiral Nevill, with the request that they might be passed, which was done; they sent up also an address asking that the Acts lately passed might be sent home, duly authenticated, and that they might be read on three successive Sundays in every parish. Several orders as to escheated lands, payments and other such matters. On the petition of John Lucas it was ordered that a Court of oyer and terminer be held on 8 July. John Lucas appeared, and, acknowledging his error before the Governor and Council, was discharged. [*Board of Trade.* Leeward Islands, 64. *pp.* 195-198.]

June 30. **1,125.** Minutes of Council of Jamaica. Order for two fire-ships to be repaired and refitted. Orders for payment of salaries and of £172 for six great guns. An account of £569, in thirty-eight small sums, for refitting of fire-ships was brought up and ordered to be charged against the King's revenue. Order for interest to be allowed to all such as shall pay money owing to the King upon bond before the bonds become due. Orders for further payments on account of fire-ships, and for adjustment of certain quit-rents. An account of £1,250 for Port Morant fortifications was brought up and passed. [*Board of Trade.* Jamaica, 79. *pp.* 69-73.]

June 30. Annapolis, Maryland. **1,126.** Governor Nicholson to the Duke of Shrewsbury. Forwarding several addresses and other papers. *Signed*, Fr. Nicholson. 1 *p.* *Enclosed*,

1,126. I. Congratulatory address of the Council and Delegates of Maryland to the King on his safe return after the last campaign. *Copy.* 1 *p.*

1,126. II. Address of thanks from the same for the appointment of the Council of Trade and Plantations. *Copy.* 1 *p.*

1,126. III. Address of the same, praying for mercy to those who have committed themselves by becoming securities for dishonest masters of ships. *Copy.* 1 *p.*

1,126. IV. Address of the same. Shewing the hardships of vigorous enforcement of the Acts of Trade in Maryland when the same laws are not enforced in the neighbouring Colonies. *Copy.* 1 *p.*

1,126. V. Address of the same, praying for relief from the burden of contributing to the defence of New York. *Copy.* 1 *p.*

1,126. VI. Address of the same, asking for the boundaries of Maryland and Pennsylvania to be adjusted, and enumerating the measures taken to prevent the harbouring of runaway seamen. *Copy.* 3 *pp.*

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1,126. VII. A list of Journals and Acts sent by the present opportunity. *In Sir Thomas Laurence's hand, and signed by him.* 1 *p.*

1,126. VIII. A further list of duplicates and other copies of Journals and public transactions. 1 *p.* *The addresses will be found more fully abstracted under date* 13 *July*, 1697. [*America and West Indies.* 558. *Nos.* 3, 3 I.-VIII.]

June 30. Annapolis, Maryland. **1,127.** Governor Nicholson to James Vernon. Pray make my letter to the Duke of Shrewsbury acceptable. I hear that Mr. Penn has endeavoured to made me appear an ill man, but thank God we have now a Government which will not condemn any person unheard. I only ask to be allowed to justify myself here or in England, when I believe I can shew that his accusations are false and that the Government of Pennsylvania, as he now manages it, is every way prejudicial to the King's interest. If I should personally attack him, as I hear he has attacked me, I can truly make it appear that in these parts he has been an ill man. I beg your pardon for this trouble, but you have been a voluntary and generous friend to me. I do not pretend to be without faults or enemies; but please give no credit to any ill that you hear of me till I have endeavoured to justify myself. *Signed*, Fr. Nicholson. 1 *p.* [*America and West Indies.* 558. *No.* 4.]

June 30. **1,128.** William Popple to the Agents for Barbados. Desiring an account of any alterations or innovations which have happened or have been attempted to be introduced into Barbados or any other of the Caribbee Islands thereupon depending, with especial reference to the island of St. Lucia, since the year 1667 to the present day. [*Board of Trade.* Barbados, 44. *p.* 62.]

July 1. **1,129.** Minutes of Council of Massachusetts. Leave granted to Joseph Vickers to erect a house in Boston. Order for payment of £4 10*s.* to Henry Emes, messenger of the Assembly.

July 3. Order for succour to be given to New Hampshire if desired. [*Board of Trade.* New England, 49. *pp.* 100-101.]

July 1. Virginia. **1,130.** Governor Sir Edmund Andros to Council of Trade and Plantations. Yours of the 1st of February last with a duplicate of yours of 24 September came to hand a little before the sailing of the fleet. I was not well, and incapable of giving you an exact account of the population, nor can I do so now, for though I have sent directions to the various counties to take such lists as will enable me to answer your queries more fully, this will take time. On the arrival of H.M. ships Harwich and Southsea Castle at the beginning of this month, I gave immediate notice thereof to the officers of the several rivers and districts, and of the time of their stay in order that such vessels as might should be got ready to sail under their convoy; but I understand that only two or three will be ready by the time appointed. As to the information which you require of me touching a privilege claimed by members of Council I enclose a copy of the General Courts' order relating thereto. From this and from other information it appears that it has ever

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been the practice here to issue out a summons for a Councillor in all actions where a common writ hath gone for others, and it is now the practice to have the summons signed by the Secretary, upon which a Councillor stands as strictly obliged as by the serving a writ upon him, and judgment passes against him for his default of not appearing, or otherwise, as the case requires and ought to be on other process; and the reason given for this practice is that a Councillor may not at any time be surprised and taken up with a writ, whereby he may be hindered from his attendance at the Council or General Court, no other benefit nor farther protection being intended by it to the prejudice of any plaintiff. As to the allegation concerning several persons sitting in the General Court as judges, who have never taken the oath of a judge, it is so that, the General Court being a Court from the seating of the country and consisting only of the Governor and Council, the members have never had any other oath administered than that of Councillors, by virtue of which they have always been and still are esteemed here to sit as duly qualified judges. As to the engrossment of large tracts of land and my opinion what is to be done therein, I would submit that lands have always been granted here by patent upon rights for the importation of persons (being fifty acres for each person), and that none have had any lands granted here but upon their producing such rights according to custom and ancient privilege confirmed by the charter. I do not therefore know any remedy for what is past, this being a matter of property, nor do I perceive (due care being taken for demanding and receiving the quit-rents) that any particular disadvantage accrues from the large tracts of land now held. But forasmuch as the restraint of grants to small parcels of land will oblige all persons, be their rights for importation never so many, to complete their claim, I conceive a limitation in this particular a likely means for the more regular planting and thicker seating the unappropriated lands in this Government, the said grants to be made in such divisions as the takers-up shall apply for, but not to exceed four hundred acres or such other quantity as you shall decide.

Captain Andrew Douglas of H.M.S. Harwich lately applied to me for thirty men, having in the first place sent to the officers of the several rivers for that number and received a reply that there were no seamen on the land. The power of impressment being committed to me as Governor and Commander-in-Chief, I issued warrants for the impressment of one seaman from every ship, and of two seamen from every ship having sixteen men, and so in proportion. Having no other means for safe conveyance of the men, when got, I sent the warrants to Captain Douglas and desired him to receive the men who should be impressed in virtue thereof. I hope that he may obtain his number. Your commands against harbouring fugitives and deserters and entertaining of pirates shall be observed. I have published a proclamation, according to the Council's orders, for apprehending Henry Every and others, but have not as yet heard of any of them. I shall be careful to observe your directions as to giving assistance to New York. Captain Douglas brought in a French prize, the St. Ignace, of about 150 tons burden. I appointed a Court to try her, and she was condemned; and I have placed her

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in the hands of Colonel Byrd, Receiver-General, to be disposed of according to law. Mr. Joshua Broadbent, commander of the sloop employed here for prevention of illegal traders, lately seized a ship called the William, Captain Mackhen, master, of Portaferry in Ireland, but on trial she was cleared. I have directed good security to be taken for her return to England. *Signed*, E. Andros. 6 *pp.* *Endorsed*, Recd. 16 Sept. Read 17 Sept., 1697. *Enclosed*,

1,130. 1. Copy of Minutes of Council of Virginia, 27 March, 1678. Order directing a new summons, under the hands of the Governor or Secretary, to be issued for the appearance of Sir Henry Chicheley and Ralph Wormeley, Councillors, to answer a suit against them, a previous summons having been not good. 1 *p.* *Endorsed as the preceding.* [*Board of Trade.* Virginia, 6. *Nos.* 23, 23 I.; *and* 37. *pp.* 110-116 (*covering letter*) *and* 123-124 (*enclosure*).]

July 1. Virginia. **1,131.** Governor Sir Edmund Andros to Board of Trade and Plantations. *This is practically a duplicate of his former answers to the queries of the Board of Trade* (*see No.* 956 I.) *but contains the following additional information.* The whole number of inhabitants is supposed to be 70,000. The foot companies of militia are "unsizeably" and not well armed. Besides articles already enumerated, sassafras-roots are exported to England. There are two ships, four brigantines and nine sloops belonging to the province, but few or no seamen. No ships have been built in Virginia until lately eight ships, eleven brigantines and fifteen sloops, for which carpenters, iron-work, rigging and sails were brought from England. Hemps and flax grow very well, but no great quantity is made, the industry being neglected when goods from England are plenty. The making of saltpetre out of salt earth called "licking-places" up the rivers has been tried, but has not answered expectation, and there is no good artist for it. All else is to be had in quantities near navigable places on the rivers, as also iron, but it is not minded for want of hands, labour being dearer than in Europe. No Indians have yet been brought to live among the English in a settled way nor to learn the language. They are not useful except for hunting or uncertain work, being very impatient of regular work and, though depressed, jealous of liberty. They are not likely to become more useful unless encouraged to settle in numbers on some good place on the frontiers, forty or fifty miles from the English. *Signed*, E. Andros. 4 *pp.* [*Board of Trade.* Virgina, 6. *No.* 24; *and* 37. *pp.* 117-122.]

July 1. Virginia. **1,132.** Governor Sir Edmund Andros to the Duke of Shrewsbury. Reporting the despatch of papers, and the condemnation of the French prize St. Ignace. *Signed*, E. Andros. 1 *p.* [*America and West Indies.* 638. *No.* 29.]

July 1. **1,133.** Commission to Captain John Nanfan to be Lieutenant-Governor of New York. *Countersigned*, James Vernon. [*Board of Trade.* New York, 52. *pp.* 247-249.]

July 1. Whitehall. **1,134.** James Vernon to Council of Trade and Plantations. There are about fifty women convicts now lying in Newgate for

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transportation, which is at last found necessary to be provided for at the King's charge. The Lords of the Treasury have therefore directed the Commissioners of Transport to agree for shipping to carry them to the West Indies. It still remains to be resolved how they should be disposed of there, which the Lords Justices now refer to you, asking you to report to what places these women should be sent and what instructions it will be proper to send along with them for their being received and disposed of. *Signed*, Ja. Vernon. *Holograph.* ½ *p. Endorsed*, Recd. Read, 1 July, 1697. [*Board of Trade.* Plantations General, 4. *No.* 54; *and* 34. *p.* 170.]

July 2. Whitehall. **1,135.** Council of Trade and Plantations to the President and Council of Barbados. By the unhappy rencounter which stopped the convoys of the outward-bound fleet, we expect this to go by the same conveyance as that which bears our letter of 12 February. We now enclose you a circular letter from the King, dated 22 April, requiring your diligent care in all matters concerning the Acts of Trade. The King has appointed the Hon. Ralph Grey to be Governor of Barbados, who is accordingly preparing for his voyage. The King has also appointed David Ramsey to be of the Council of Barbados, but we must add that for want of a perfect list of the members of the Council now living and residing upon the place, we are at some loss in inserting their names, as requisite, in Mr. Grey's instructions. You will send us such a list from time to time in future. We think it right to inform you that intelligence has reached us that the French have sent some able engineers to Jamaica, who speak Italian and intend to pass as of that nation, under that colour carrying on the French designs in those parts. Be vigilant therefore against any such emissaries of France in Barbados. *Signed*, J. Bridgewater, Tankerville, Ph. Meadows, Jo. Locke, Abr. Hill. [*Board of Trade.* Barbados, 44. *pp.* 63-64.]

July 2. **1,136.** Council of Trade and Plantations to Governor Goddard. We send you a duplicate of our last letter, which was retarded owing to the meeting of the fleet with some French men-of-war. We have since received yours of 11 November last. We now send you a copy of the King's circular letter of 22 April, concerning the Acts of Trade. We have laid before the Lords Justices an abstract of all the papers sent to us concerning Mr. Richier, who have ordered that both Mr. Richier and yourself return to England, and that another Governor be appointed in your place, who will bring with him the said order. Meanwhile, as you remain yet Governor we recommend to you, in your own interest, your utmost care in fulfilling the duties of your places. *Signed*, J. Bridgewater, Tankerville, Ph. Meadows, Jo. Locke, Abr. Hill. [*Board of Trade.* Bermuda, 29. *pp.* 37-38.]

July 2. Whitehall. **1,137.** Council of Trade and Plantations to Governor Codrington. By the unhappy rencounter which stopped the outward-bound convoy to the West Indies, this letter will go by the same conveyance as our former letters of 12 February. We send you the King's circular letter of 22 April requiring your diligent care in the observation of all things relating to the Acts of Trade. We have received yours of 26 March and 1 May last and observe

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your care for the security of the Islands. We shall not fail to lay before the King whatever seems to us to be for the advantage of the Islands. The King has ordered Mr. Palmer to be removed from being Secretary and Councillor of the Leeward Islands, and has appointed Mr. Edward Parsons to be Secretary in his stead. The Acts of Antigua, lately under our consideration, have been confirmed by the King. We have information that French engineers have been sent to Jamaica who will try to pass for Italians. Keep a watchful eye on all strangers, and be on your guard against such emissaries. *Signed*, J. Bridgewater, Tankerville, Ph. Meadows, Jo. Locke, Abr. Hill. [*Board of Trade.* Leeward Islands, 45. *pp.* 83-85.]

July 2. Whitehall. **1,138.** Council of Trade and Plantations to Governor Sir William Beeston. Owing to the unhappy rencounter which stopped the convoys of the outward-bound fleet, the same conveyance will probably bear both this and our letter of 12 February. We enclose a letter of 22 April from the King, commanding strict observance of the Acts of Trade. We have received yours of 17 October to the Duke of Shrewsbury and of 12 February to ourselves and extracts of your letters to Mr. Blathwayt. We are sensible of what you write as to the condition of Jamaica and of your care for it. What relates to the conduct of the Captains of the King's ships we hope will be remedied by the Order in Council of 3 December, 1696. We shall neglect no opportunity of obtaining anything advantageous to Jamaica, and are at this time preparing a report for the disbandment of the soldiers there. We have information that French engineers are visiting Jamaica, passing themselves off as Italians, so be watchful of strangers. *Signed*, J. Bridgewater, Tankerville, Ph. Meadows, Jo. Locke, Abr. Hill. [*Board of Trade.* Jamaica, 56. *pp.* 109-111.]

July 2. Whitehall. **1,139.** William Popple to Governor Sir William Beeston. In the Acts transmitted for Jamaica the seal of the Island is so affixed that the string on which it hangs is apt to tear through the paper on which the Acts are written; so that some sheets ever and anon separate from it. You are requested to take care that either the heads of the sheets be strengthened or rather that the Acts themselves be written on skins of parchment, and so fastened as to prevent the like accident. [*Board of Trade.* Jamaica, 56. *pp.* 111-112.]

July 2. Whitehall. **1,140.** William Popple to the Agents of the Colonies in England. Desiring their opinion of each as to the transportation of fifty women convicts to the Colony which he represents (*see No.* 1,134.) [*Board of Trade.* Plantations General, 34. *p.* 171.]

July 2. Whitehall. **1,141.** William Popple to the Secretaries of the Admiralty. The Council of Trade desire to be informed at what place the men-of-war, which lately returned from convoying the outward-bound West India fleet and which I suppose are now ready to sail from Spithead, are ordered to touch either upon the Western Coast or in Ireland, and how long it may probably yet be before they can depart from either place. This is in order to preparing accordingly some despatches which the Council desires to send with them. [*Board of Trade.* Plantations General, 34. *p.* 172.]

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July 2. Admiralty Office. **1,142.** William Bridgeman to William Popple. In reply to yours of this day the men-of-war at Spithead, which are going to the West Indies, are to sail with the first fair wind, call at Plymouth for some merchantmen, and lie off Kinsale for two victualling ships bound thence to the West Indies. *Signed*, Wm. Bridgeman. ½ *p. Endorsed*, Recd. 3rd, Read 5th July, 1697. [*Board of Trade.* Plantations General, 4. *No.* 55; *and* 34. *p.* 172.]

July 2. **1,143.** Memorandum of a letter written by William Popple to William Thornburgh about some women convicts, now lying in Newgate for transportation, to be sent to Carolina. [*Board of Trade.* Proprieties, 25. *p.* 84.]

July 2. New York. **1,144.** Governor Fletcher to Council of Trade and Plantations. Since my last, a sloop which left Curaçoa on the 1st June has arrived here with advice from the Dutch Governor that the French have taken Fort Boca Chica and are before Carthagena, of which it is doubted that they are masters. Having shared much provisions to the Spaniards he asks leave to purchase some here. The sloop was immediately searched, being in ballast, and as the master made oath that he came without any loading the Council was unanimously for giving the required permission upon so urgent and good a design. The sloop touched at the Bahamas on her way, where the master understood that Admiral Nevill had been at Petit Guavos and was gone towards Carthagena in good health and condition. The enclosed propositions will shew you the extraordinary pains and craft of Count Frontenac to draw over our Indians, and how necessary it is for the King's service to preserve their allegiance to this province. I hear there is a sloop of thirty guns from Scotland arrived at Pennsylvania. We are under great hardship for want of a due and constant return of the subsistence of the four companies. I have drawn sundry bills upon the Agent, which have been returned protested for not being paid in money but bank-bills, in which there is 19 *per cent.* less as I have been informed, other payments have been with charge (*sic*). This accident has given such a check to the credit of my bills that neither victuallers nor merchants will accept them. I beg your assistance herein. Disappointments in clothes and subsistence greatly discourage the service. The Lieutenants whom you mention must throw some crimination on me to cover their own guilt, quitting the service at a time when the enemy was expected. The Companies have been subsisted ever since I came over upon my bond and credit. I constantly paid those gentlemen as money came to my hand, either to themselves or to their Captains, as their acquittances will shew. When Mr. Livingston gave in his complaint against me he had not one penny due to him from me or from the Government since my coming to it. The £900 with which he charges me, when he was given over here for lost, was all paid to his order ere he got to England. I hope that, when I attend you, I shall prove to you that I have done my duty as a honest man for the province. *Signed*, Ben. Fletcher. 3 *pp. Endorsed*, Recd. 7 Jan. Read 10 Jan., 1697-8. *Enclosed*,

1,144. i. Propositions made by the Sachems of Onandaga in Albany, 9 June, 1697. Present: Colonel Peter Schuyler, Godfrey Dellius, Major Dirck Wessels, Captain Evert

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Banker. An Indian spoke first as follows. One of our tribe is lately returned from Canada and brought us the following account. He told Onontio [the French Governor] that he had an affection for his own country and would therefore return to it. Onontio answered that he might do so, but that he would give him a belt of wampum for the Five Nations, which he did. The belt was folded double, one half to shew his affection for the bearer, the other half to shew the Five Nations his inclination to make peace with them; and pursuant thereunto they should send one out of each family to him, or, if that were too troublesome, they should send some of their principal men to him. If they could not resolve upon that, they should send some of their mean persons; but, if they should still scruple, they should declare their thoughts of peace to the bearer, who would impart them to him, for he would leave nothing undone to come to a peace. When the bearer brought this belt into our Castle one of the chiefs said that it was resolved by old and young, men and women, that none of their castle should again go to live in Canada, because the English Agents as well as the other nations had charged them with being affected to the French. Now, brother (addressing the English Agents), about this belt from Onontio. We summoned all the Five Nations by seven bands of wampum. We asked the Oneidas if they had informed the gentlemen of Albany of it, and they said they had not. We also have neglected to send seven bands of wampum to Albany to desire them to assist us in our general meeting, particularly about the treaty of peace, which of old used to be done there. Before the return of our messenger sent to summon the whole house to meet, Onontio had killed one of our people, but because he was of our own people and not of another nation and because also we had resolved to make peace, we resolved that we would not. We therefore put a stop to it. The Cayouges, Maquas and Sindowannes, none of them answered our summons, but sent us word that they would leave the whole matter to us. As you (English) gave us leave about two years ago to make peace with Onontio we have resolved to send two Agents to him with a belt folded double and the following message: "Father, you sent a message that you were inclined for "peace and desire us to come to you for that end. "Father, is that peace?" (Here they would let fall the fold out of the belt of wampum.) "We know not how "your heart is inclined for peace. You speak of peace "and knock our people on the head, and commonly "when you send for us you sharpen your axes." (Then they shall throw down the belt and say) "Father, speak "now." Whatever answer Onontio shall give, they shall make this reply: "We shall carry your words to "our country and consider of them. Send along with

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"us two Frenchmen and two Praying Indians and they "can go backward and forward with messages between "us." Brother, (addressing the English Agents) last winter you sent a belt to inform the whole house of your arrival at Albany to cover it and us from the insults of the enemy. For this we thank you heartily, but the belt is but just now come to us, and we have sent it to the Cayouges and Sindowannes. Had it come in time it would have been of great service to the public. Brother, I have more to tell you of Onontio's discourse. He said, "Child go now to your own country. I am "wholly inclined to peace. I would have your arm tied "to mine that we might live peaceably together." To which our Indian answered: "No, father, I will not "have my arm tied to yours, because you might "lift your arm against my people, and then my "arm must hang to yours." Onontio then assured him he would never make war again upon the Five Nations, and sent for another Indian to come and live for three years in his bosom and learn his intentions. All this we have sent to the Upper Nations for their advice, though we believe it will not be answerable to the whole house, because Onontio has deceived them in this manner more than once. Brother, we thought that two Maquas which our chief had sent to Canada had been detained, and had prepared a belt of wampum to ask for their release, but hearing that the Maquas were returned we kept the belt. We sent lately seven bands of wampum by a messenger (who is since killed) asking you to assist us to rebuild our castle, and we understand that you give us a favourable answer. Anyhow we hope that you have not forgot it. It will be a very convenient time to do it when our corn is eatable, for we do not reckon that this is peace, though there is discourse of it.

Answer to the foregoing propositions. Brother, we heard that a belt had been sent from Canada and thereupon we sent a belt unto you on the 26th of May last, the contents of which we informed you of two days ago. But we are astonished that you should call a general meeting of the Five Nations to consult on the belt sent by Onontio, and moreover that you and the Oneidas should conclude to send messengers of peace to treat with Onontio without giving notice to us. Brethren, we are almost afraid to write it to the Governor of New York, for it is a breach not only of your promise not to treat with the enemy without his advice, but also of the covenant chain by which we agreed each of us to assist the other in carrying on the war, and to live and die together. More than all this you are particularly obliged to us because we entered upon the war on your accounts, for we were at peace when you were at actual war with him, and besides you know

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how the Governor has helped you with ammunition and provisions. You say that the Sindowannes, Cayouges and Mohawks were not at your meeting, but had left the whole matter to you. What relates to the two Upper Nations we can say nothing to, though we cannot believe that they would so much forget themselves, but as to the Mohawks, they have informed us that they sent you a belt of wampum, sixteen deep, to stop your proceedings at least till their two messengers returned from Canada, so that you cannot say that they left the whole matter in your hands. You say that Governor Fletcher two years ago gave you leave to go to Canada to make peace with Onontio. Brethren, we were present at the time, and it was only by way of discourse to try your affection, and that if you would make peace (because he had been informed that you almost begged it on your knees of Onontio) you should take care that the subjects of the Great King beyond sea should not be damaged thereby. Whereupon you resolved then, as you did also last year, to renew to Governor Fletcher your promise to enter into no negotiations of peace with Onontio. Besides, brethren, this belt which we now give is wholly to stop your intended message, and if you persist in your designs (which we cannot think you will) you shall at least stop till all the Sachems of the Five Nations meet and consult with Governor Fletcher at Albany. Meantime let us tie your arms to ours and lift them together against the common enemy. Remember what Onontio lately did to one of your tribe, and yesterday at Senectady, and here to-day to our people. We cannot imagine how you became so drunk in your understanding as to call Onontio your father. We know no Father Onontio here. He is your enemy and ours. Do you call your enemy your father, who has no thoughts but to destroy you? Our two Mohawks who were lately in Canada were wiser; they called him to his face no otherwise than Onontio. As to rebuilding your castle, brethren, you will always find Governor Fletcher very ready to do it. As to Onontio's wish for one of your Indians to be lodged in his bosom for three years, your whole house has long ago known Onontio's heart to be naught, so it is not necessary for him to go. We believe that he is too wise to go, and that you will dissuade him. The words of the Oneidas, that they will none of them live in Canada, are very good if they be confirmed by deeds. As to the belt sent by Governor Fletcher last winter, you have done well to send it to the Upper Nations. Therein you may see how willing, ready and careful Governor Fletcher is for us. If Onontio had fought with him, as he threatened, he would have been received very well with powder and ball. Onontio makes a great noise, but an empty cask sounds most. *Certified*

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copy. 11 *p. Endorsed,* Recd. 7 Jan., 1697-8. [*Board of Trade.* New York, 7. *Nos.* 35, 35 I.; *and* (*without enclosure*) 52. *pp.* 294-296.]

July 2. **1,145.** Abstract of Governor Fletcher's letter above abstracted. 1 *p.* [*Board of Trade.* New York, 7. *No.* 36.]

July 2. **1,146.** Minutes of Council of Maryland. Letter from Lieutenant-Governor Stoughton read, asking Maryland to send provisions for the Newfoundland expedition owing to the dearth in Massachusetts. Order for publication of the letter, and for no ships carrying provisions to be cleared except for Massachusetts or Newfoundland. The Governor further undertook to pay all dues and fees that might be payable by such as would export provisions. Letter to Lieutenant-Governor Stoughton respecting these orders. Order for such homeward-bound ships as are ready to sail with H.M.S. Harwich to be cleared. Two of the Collectors swore to their accounts. Peter Jenings sworn Collector of Patuxent. Order for the records of his office to be delivered to him. Peter Jenings produced a Commission as prize-agent in Maryland, on which the Governor declared that he renounced his own share of prizes in favour of the commanders of ships. The commission was then registered.

July 8. The Governor directed Peter Jenings and George Muschamp, collectors, to survey their districts and report as to the place most suitable for their residence. Information was heard as to the harbouring of runaway seamen and privateers in Pennsylvania. Order for all masters of ships to be on their guard. Order for all officers to obey punctually their orders as to furnishing returns. A small deficiency of arms was reported at Annapolis, and ordered to be made good. Order for the balance of the arms-account, amounting to £622, to be expended in the purchase of arms. The Governor reported the sum in his hands for building a church at Annapolis to be £376. [*Board of Trade.* Maryland, 13. *pp.* 296-305.]

July 3. Bideford. **1,147.** Memorial of the Bideford merchants trading to Newfoundland. We have perused a letter by Mr. Popple, asking for an account of English and French encroachments on the Newfoundland trade since 1667. We know of no encroachments made on either side since that date until the present war. In 1690 several inhabitants were driven from Trepassy (which had been in our possession many years before 1667) by the French, and their habitations were burnt. In 1696 the Governor of Placentia came northward with a fleet and took possession of Renouse, Firmouse, Aqua Fort, Ferryland, Capeling Bay, Bay of Bulls, Petty Harbour and St. Johns, destroying the inhabitants and their goods and all ships that they found. What has been done further to northward the merchants of other ports can tell you. 12 *signatures.* ½ *p. Endorsed,* Recd. 12 July, 1697. [*Board of Trade.* Newfoundland, 3. *No.* 82.]

July 5. Antigua. **1,148.** Governor Codrington to Council of Trade and Plantations. On 3 May Admiral Nevill touched here with his squadron, and on the 5th sailed in search of the enemy. He took in pilots at St. Thomas's for Hispaniola on 8 May, since which I have not heard of him. By his fleet I received yours of 22 January and 12 February

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with the papers relating to New Tertholen, as to which I will inform myself and give you the truest account that I can, being as yet wholly a stranger to the affair. Since Admiral Nevill passed and took with him H.M.S. Colchester, we have been much troubled with French privateers, who have taken the victualling ships bound to this Government. But fourteen days ago they took a large hag-boat of the London fleet, of considerable value, off this island. But three ships of this fleet have arrived, one at Nevis and the other at Antigua. I fear that their loss in the Channel was very great, though the Captains of the two ships that arrived here can give no more perfect account than that the French had taken several of our merchant-ships and one of our men-of-war before they lost sight of them. The enemy are powerful here, and knowing that I have but one bad sailing frigate will insult us daily, having sometimes four, sometimes six, cruisers in sight of this island. One of them landed lately in Montserrat, plundered a house of considerable value of plate and of ten negroes, and lately attempted St. Christophers, but was prevented by the people's diligence and chased away by our frigate. This has obliged me this last week to fit out two privateers of my own, and some of the gentlemen have been encouraged by me to fit out a third. These with the Jersey will I hope drive the enemy from our coasts and make us easier for the future. They are all now at sea for that end, and it shall be my care, if provisions reach us, to keep them at sea till a stronger naval force arrives from England. I shall continue to observe the King's directions as to the ships that henceforth attend this Government, though I must acquaint you that I have great difficulty in victualling them when their provisions are spent, and the very ordinary provisions generally brought here, in comparison with the King's provisions, prove a great discouragement to sailors to go on board the King's ships. I have found this by experience of manning the small frigate now here, for which I can scarce find provisions in my government, so scarce and dear have they been this summer. Since I have held this government none of the pirates mentioned in your letter have arrived in any of these islands. They generally find more remote islands and Carolina to shelter themselves in, rather than adventure themselves here. However, if any of them come they shall be secured and your orders strictly obeyed. The engineers have not yet arrived, but when they do they shall receive my friendship and assistance. I shall particularly want their advice for a considerable fortification in this island which is now near finishing, but will want the King's favour to furnish it with great guns. I shall entreat your assistance towards obtaining them. *Signed*, Chr. Codrington. 1½ *pp.* *Endorsed*, Recd. 7 Dec., 1697. [*Board of Trade.* Leeward Islands, 5. *No.* 47; *and* 45. *pp.* 109-113.]

July 5. Antigua. **1,149.** Governor Codrington to the Privy Council. I have received your letter of 27 August, and shall strictly observe your orders as to pirates. Neither Every nor any of his crew have been here. They frequent remoter islands, Providence and Carolina. *Signed*, Chr. Codrington. ¼ *p.* *Endorsed*, Recd. Read 20 Dec., 1697. [*Board of Trade.* Leeward Islands, 5. *No.* 48; *and* 45. *pp.* 127-128.]

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July 5. **1,150.** Memorial of the subscribers to an undertaking for working copper-mines and producing naval stores in New England, to the Council of Trade and Plantations. The object of the undertaking is to produce in the King's dominions commodities which hitherto have been imported from foreign countries, and which foreign princes may either forbid to be exported or subject to such duties as would make the price excessive. We think therefore that it deserves encouragement. The stock will be necessarily so large and the subscribers so many that it cannot be managed but by a Corporation. No private person can give the Crown the same assurance of producing and supplying the said commodities, for individuals die and then contracts may be voided, which is not the case with corporations. We neither intend nor desire to exclude others from producing the same commodities. It is objected by a few traders to New England that our intended charter will injure the trade of that Colony; but it will rather advance it, for, the trade to New England being in a few hands, the merchants have so raised the prices of English manufactures that the people have been forced to abandon husbandry and manufacture cloth, &c., for themselves. These traders have and always have had liberty to join in an undertaking. Where one now trades to New England, five will trade after we are incorporated. The Deputy-Governor, some of the Council and several of the principal merchants there, who may be presumed to understand the interest of the country, were the first promoters of this undertaking and are still concerned in it. Twenty-five years ago the Colony thought undertakings of this nature so much to its interest that by Act of Assembly they gave the sole right of producing the said commodities, excluding all other persons by forfeiting such commodities if produced by them. We cannot learn that any of the patents granted of late years for less useful purposes have been clogged with such conditions and restrictions as are now proposed for ours. Two clauses which we have inserted are, we think, enough to show that our undertaking is not notional and that stock-jobbing is not intended. We are willing to abide by the last paper which we gave in to you, though far short of the privileges which former favourable reports had led us to expect; and the inclination and the encouragement which you seemed disposed to give us diverted us from applying to Parliament in this matter. We cannot accept a charter under the provisions and restrictions lately sent us by your Secretary, and if these be insisted on we must desist from troubling you further, and, after so much trouble and expense to ourselves, wait until we have an opportunity of representing elsewhere the advantages of our undertaking to the King and country, and the zeal and industry for the same which has always been our chief motive in promoting it. 2½ *pp.* *Endorsed*, Read, 10 August, 1697. [*Board of Trade.* New England, 8. *No.* 113; *and* 36. *pp.* 240-243.]

July 5. **1,151.** Journal of Council of Trade and Plantations. The letters to the Governors of the West Indies were signed by Lord Bridgewater and despatched to Plymouth.

One Mr. Dudgeon presented a petition for appointment to be Provost Marshal of Bermuda, which was returned to him, the place not being within the cognisance of the Council.

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Lord Arran attended, and said that he had found the original grant of the lands, which he claims in New England, at his home at Hamilton.

July 5. Three memorials for the use of the Plenipotentiaries at the Hague read.

Mr. Povey's letter of 28 June as to Mr. Brooke's petition was read (*No.* 1,117), and the Secretary was directed to write to Mr. Lowndes thereupon.

Mr. Merret gave information that the French had destroyed all the places captured from the English in Newfoundland except Bonavista, and had so left them.

Lord Arran brought up a copy of the Marquis of Hamilton's deed of feoffment and asked for early consideration of the business.

Representation as to the foot soldiers in Jamaica signed (*No.* 1,154) and sent to the Council. The Secretary reported that he had received an answer from the Jamaica merchants as to the transportation of fifty women convicts.

Letters from the President and Council of Barbados of 3 March and 29 April last read, with their enclosures.

July 7. The Secretary reported that the Treasurer would not pay the salaries and allowances of the commission until the Privy Seal for constituting it was sent to them.

The Secretary reported as to the despatch of the last letters to the West Indies, and orders were given as to the despatch of those to Rhode Island and Connecticut. Letter from Rhode Island read (*No.* 1,159 I.).

Lists of papers received from Maryland and Virginia on 21st ult. were read, also a list of papers recently received from New York.

July 8. On the report of the Secretary as to Acts of the Colonies, he was ordered to hasten the despatch of those now lying before the Attorney and Solicitor General, and in future to refer them to either instead of to both of them.

The Council began the examination of Lord Arran's case.

July 9. The Secretary's letter to Mr. Lowndes on Mr. Brooke's petition approved (*No.* 1,171).

The Secretary reported the receipt of Mr. William Brooke's letter of yesterday (*No.* 1,165), and received orders to reply that if the papers mentioned by him belonged to the Council, they ought to be sent, but that he had no directions as to postage. Order for Mr. John Kendall and Mr. Samuel Day to be apprised that the Lords Justices have reserved to themselves the nomination of a Governor for Bermuda.

Lord Arran's case further considered. [*Board of Trade.* Journal, 10. *pp.* 144-159.]

July 6. **1,152.** Memorandum of the receipt of a memorial from Sir Henry Ashurst as to what has passed between the English and French since 1667. Recd. 26 June, Read 6 July, 1697. ½ *p.* [*Board of Trade.* New England, 8. *No.* 114.]

July 6. **1,153.** Similar memorandum of the receipt of a letter from Mr. Nelson on the same subject. Recd. 2nd, Read 6 July, 1697. ½ *p.* [*Board of Trade.* New England, 8. *No.* 115.]

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July 6. Whitehall. **1,154.** Council of Trade and Plantations to the Lords Justices of England. In compliance with Mr. Vernon's letter of 23 June (*No.* 1,101) we are of opinion that the disbanding of the company of foot in Jamaica will not only save expense, but will tend equally to the security of the island by their service upon all occasions in the militia as by their continuing in pay. They will also be able to gain more advantage for themselves by the profit that they may be able to make of their labour. We think, however, that the Lieutenant-Governor should be instructed, on disbanding them, to use such prudent measures as he thinks advisable to prevent their leaving the island. *Signed*, J. Bridgewater, Tankerville, Ph. Meadows, Jo. Locke, Abr. Hill. [*Board of Trade.* Jamaica, 56. *p.* 113.]

July 6. **1,155.** Extract from the Minutes of the Privy Council. The representation of the Council of Trade as to disbanding the company of foot in Jamaica was read (*see preceding abstract*), but the Lords Justices decided to keep the matter for the King's return. ½ *p.* [*Board of Trade.* Jamaica, 8. *No.* 62; *and* 56. *p.* 114.]

July 6. **1,156.** The Agents for the Leeward Islands to William Popple. In reply to yours of 2nd relating to the transportation of some women convicts, it may not be improper to send them to the Leeward Islands. The best way will be to recommend them to the Chief Governor to dispose of according to their conditions and circumstances. *Signed*, Bastian Bayer, Joseph Martyn, Rd. Cary. ½ *p.* [*Board of Trade.* Plantations General, 4. *No.* 56; *and* Leeward Islands, 45. *pp.* 85-86.]

July 6. **1,157.** The Agent for Virginia and Maryland to William Popple. As regards your letter of 2nd, Virginia and Maryland being on the Continent and several Governments joining on each other have found the entertainment of convicts to be prejudicial and have passed a law against the importation of them. There will therefore be no proper place but Jamaica and Barbados, who will bid them welcome, as they most properly may, being confined under one Government and enclosed within the Island. If the Council wish to dispose of them, I could recommend one who would do so to satisfaction. *Signed*, Micaiah Perry. ½ *p.* [*Board of Trade.* Plantations General, 4. *No.* 57.]

July 6. Whitehall. **1,158.** William Popple to Captain St. Lo. Forwarding packets for the Governments of Barbados, Jamaica and the Leeward Islands, to be sent by the men-of-war bound thither from Plymouth. [*Board of Trade.* Plantations General, 34. *p.* 173.]

July 6. Whitehall. **1,159.** Order of the Lord Justices of England in Council. Referring a letter from the Governor and Magistrates of Rhode Island to the Council of Trade and Plantations. *Signed*, Wm. Bridgeman. ½ *p.* *Endorsed*, Recd. Read, 7 July, 1697. *Enclosed*,

1,159. I. Governor and Magistrates of Rhode Island to the Privy Council, 8 June, 1696. Congratulations on the King's escape from assassination, for which thanksgiving was duly solemnised. Vigilant watch is keeping for the conspirators. *Unsigned.* 1 *p.* [*Board of Trade.* New England, 8. *Nos.* 116, 116 I.; *and* 36. *pp.* 210-211.]

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July 6. **1,160.** Commission appointing a Board for the promoting the trade of the Kingdom and improving the Plantations in America and elsewhere. The Board is to consist of the Lord Keeper, Lord President, Lord Privy Seal, First Lords of the Treasury and Admiralty, Principal Secretaries of State, Chancellor of the Exchequer, Earls of Bridgewater and Tankerville, Sir Philip Meadows, William Blathwayt, John Pollexfen, Abraham Hill and George Stepney. Three to be a quorum, representations to be signed by at least four. The employment of the poor and fisheries are to be part of their business as well as the business of Trade and the Plantations. The obtaining of naval stores from the Plantations is particularly committed to their attention. The former commission of 15 May is revoked. [*Board of Trade.* Journal, 10. *pp.* 233-240.]

July 6. **1,161.** Minutes of Council of Barbados. The President sent down a letter recommending several matters to the Council's consideration. £25 granted to Mr. Heberlands for materials. Sundry accounts passed, including £12 to Edward Skeete for superintending workmen at the entrenchments, and three months' subsistence to the officers of Garth's regiment, viz. to the Major 4*s.* a day, to the Captain 2*s.* 6*d.*, to lieutenants, surgeon and quartermaster, 2*s.* a day. The Assembly desired conferences on the bills about elections of Assemblymen and for election of Agents, and that the Excise bill might be passed or a conference appointed for that also, and that the Militia bill might be expedited. Conferrers appointed accordingly.

July 7. Bill for the better enabling of the Governor to furnish seamen for the King's ships (pursuant to the King's late order) read thrice and passed. Major Garth's memorial concerning his soldiers read and recommended to the Assembly. The Conferrers reported that the Assembly had accepted the Council's amendments as to the bill for electing Assemblymen, with an additional clause. On the Agents Bill the Assembly conceded that the Agents be paid by warrant of the Governor in Council, but insisted upon having the sole nomination of the Agents. Thereupon the Council resolved to abide by their former proposals as to the Agents Bill. The Assembly came in and prayed that the Act concerning judges appointing their own clerks might be recorded, and that the soldiers who are not billeted may be supplied for a month, adding that they would pass an Act for their more certain supply with all expedition, and then proposed to adjourn for three weeks. Order for the soldiers to be supplied as desired, at the rate of 25*s.* each per month.

July 8. Order for payment for provisions supplied to H.M.S. Bideford, that further supplies be given to her for her coming voyage, and that she sail on the 19th inst., with such of the fleet as are ready to go under her convoy. [*Board of Trade.* Barbados, 65. *pp.* 223-226.]

July 7. Whitehall. **1,162.** William Popple to the Commissioners for Sick, Wounded and Prisoners. Forwarding copy of the list of French prisoners transmitted by the President of Barbados in his letter of 29 April (*No.* 978 III.). [*Board of Trade.* Barbados, 44. *p.* 75.]

July 8. **1,163.** Memorandum of the receipt of a Memorial from the Hudson's Bay Company answering certain enquiries of the

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Ambassador relating to the Company. *Scrap. Inscribed*, Recd. Read, 8 July, 1698. [*Board of Trade.* Hudson's Bay, 2. *No.* 16.]

July 8. Crutched Fryers. **1,164.** Solomon Merrett to William Popple. I have written above what news I have received from Newfoundland, and I enclose also an account [*missing*] of the encroachments made by the French on us. I hear that a convoy is designed for Newfoundland. Kindly advise me when it sails. *Signed*, Solomon Merrett. *Above this is written:* An account of news from Newfoundland. Captain Wester sailed from Bonavista on 28 May, where he left three ships. Seven ships from Cadiz had the misfortune to fall in with a French man-of-war of 50 or 60 guns which sank one and took three, the rest escaping, two into Carbonere and one into St. Johns. The French do not pretend to keep the places they have taken, having already quitted them. They have, with Indians, about 100 men. They destroyed everything in every harbour except Bonavista, where they would not attempt anything, as ships were lying there. They have in Placentia about five men-of-war and five and twenty merchant-ships. A convoy was sighted in latitude 48° 3′. 1 *p. Endorsed*, Recd. 12 July, 1697. [*Board of Trade.* Newfoundland, 3. *No.* 83.]

July 8. **1,165.** William Brooke to William Popple. Your letters addressed to the Governor of Bermuda shall be duly forwarded. A few days ago I opened a packet from him at your house, and desired you to assist me to the postage of that packet and of several others which I have received from him for the King's service, which in all amounts to a valuable sum. It being your dining time I unfortunately did not take a strict account of what was in the packet, but I have done so since, and find them to be all duplicates of papers already sent to you. If you would have me bring these papers I will do so, but I hope that you will put me in some way to have the postage repaid me. I hear that there is a ship in the Downs which is likely to reach Bermuda before that which I had designed, but as I do not know how to obtain a receipt from the captain for your packet I shall deliver it to the other. *Signed*, W. Brooke. 1 *p. Endorsed*, Recd. 8th, Read 9th July, 1697. [*Board of Trade.* Bermuda, 3. *No.* 14.]

July 8. **1,166.** The Jamaican Merchants to Council of Trade and Plantations. The fifty women convicts mentioned in Mr. Popple's letter of 2nd inst. would be of no use to us in Jamaica, nay, we would not receive them except on condition of receiving one hundred and fifty male convicts with them. It is men that we want, having sustained great losses by the earthquake and the sickness that followed it, and particularly by the men-of-war having frightened away many of our men to other Colonies and turned fifteen times as many men as they pressed into pirates. The women would only be a burden to us and would contribute nothing to our defence. *Signed*, Gilbert Heathcote, Bartho. Gracedieu *and by five more.* ¾ *p.* [*Board of Trade.* Plantations General, 4. *No.* 58.]

July 8. **1,167.** Memorandum of the receipt of the foregoing letter. ¼ *p.* [*Board of Trade.* Jamaica, 8. *No.* 63.]

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July 8. Whitehall. **1,168.** William Popple to William Penn. The Council of Trade expected to see you before you went out of town on the subject of my letter of 8th ult., when a letter would have been delivered to you from the King, which letter I now enclose (*No.* 961). [*Board of Trade.* Proprietles, 25. *p.* 84.]

July 8. **1,169.** William Popple to Major-General Winthrop and Jahleel Brenton. Forwarding letters for transmission to the Governors of Connecticut and Rhode Island. [*Board of Trade.* New England, 36. *p.* 213.]

July 8. **1,170.** Minutes of Council of Massachusetts. Orders for payment of £30 to the minister of the garrison at Dunstable, of £100 for expenses of the garrison at Pemaquid, of £7 to Isaac Addington, clerk of Assembly, and of £37 for maintenance of French and Indian prisoners. [*Board of Trade.* New England, 49. *pp.* 102-103.]

July 9. Whitehall. **1,171.** William Popple to William Lowndes. With reference to Chidley Brooke's petition forwarded in your letter of 14 May (*No.* 1,025) the Council of Trade have been unable to find any precedent of what has been done on such occasions; but considering that his employment as Receiver of New York has been different from, and far more troublesome than, that of any of his predecessors, the Council are of opinion that he may be recommended to the Government of New York for such an allowance as it may think fit. [*Board of Trade.* New York, 52. *p.* 180.]

July 9. Powerhill. **1,172.** William Thornburgh to William Popple. I cannot yet arrange a meeting of the Lords Proprietors of Carolina to consider your letter respecting women convicts, but you may be assured that the Proprietors will acquiesce in the Lords Justices' pleasure if they transport them to Carolina. What reception they will find there I cannot say, though it will be better than elsewhere, for most of the rest of the West Indian settlements (if not all, to my certain knowledge) will not receive women-convicts. If you resolve to send them to Carolina I have a ship bound thither that will carry them at the usual rates, and the master will be careful to procure for them the best reception that he can. *Signed*, Wm. Thornburgh. ½ *p.* [*Board of Trade.* Plantations General, 4. *No.* 59.]

July 9. Plymouth. **1,173.** Captain St. Lo, R.N., to William Popple. Acknowledging the receipt of packets for Barbados, the Leeward Islands and Jamaica, to be forwarded by the men-of-war bound thither. *Signed*, G. St. Lo. ¼ *p.* *Endorsed*, Recd. 10 July, 1697. [*Board of Trade.* Plantations General, 4. *No.* 60.]

July 10. **1,174.** Memorial of the Agents for Barbados to Council of Trade and Plantations. In reply to Mr. Popple's letter of 30 June (*No.* 1,128) we offer as follows. Since 1667 to this day Barbados and the other islands depending thereon have been in uninterrupted possession of the Kings of England and of their subjects. St. Lucia in particular has been possessed by them in and since the year 1667; and a little before that time about 1,500 people were sent from Barbados to settle it, though it has since been thought fit

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to keep that island not for planting thereon but for convenience of wood and timber, which is much needed in Barbados and has constantly been brought thither from St. Lucia. Some of it is cut by those that fetch it, and some by men who stay upon the place. But in the reign of King James II. several French people came from Martinique to St. Lucia, and set up huts and tents, with a design (as they said) to hunt wild hogs. When this was known in Barbados, the Governor, Colonel Stede, at once went down in a ship commanded by Captain St. Lo (now Commissioner of the Navy at Plymouth), and caused the tents and huts to be destroyed and the French people to depart, which they did, promising to come there no more, nor have they ever been there since. Colonel Stede and Thomas Fullerton, who went with him to St. Lucia, are both in London, and can give you full information. It is absolutely necessary to keep St. Lucia, for the preservation of Barbados (1) because of the timber upon it; (2) because, if another nation should possess it, debtors, servants and negroes that have a mind to run from Barbados, could easily get to it, being to leeward and in sight of Barbados; (3) because there is a very good port in St. Lucia which, if possessed by an enemy, might be of most mischievous consequence, since all ships that go from Barbados pass to leeward between these islands mostly in view of St. Lucia (*sic*). *Signed*, Edw. Littleton, Wm. Bridges, Fran. Eyles. 1 *p.* *Endorsed*, Recd. Read, 14 July, 1697. [*Board of Trade.* Barbados, 7. *No.* 36.]

July 12. **1,175.** Minutes of Council of Massachusetts. Advised that the General Court be prorogued to 18 August. Orders for payment of £250 to the Lieutenant-Governor for his last year's salary, of £230 to the Treasurer for the same, of £50 to Increase Mather as President of Harvard College for the same, and of £15 for various public expenses. [*Board of Trade.* New England, 49. *pp.* 103-105.]

Proclamation for prorogation of the General Court. [*Board of Trade.* New England, 48. *p.* 169.]

July 12. Annapolis, Maryland. **1,176.** Sir Thomas Laurence to James Vernon. My last was sent by my son, who brought duplicates of the public proceedings. The Governor is keeping back the duplicates of those sent in May. We are lately advised that Mons. Ponti was before Carthagena within two months and Vice-Admiral Nevill at Antigua above six weeks ago. The Governor has taken care to send supplies of all provisions from here to Colonel Gibson, who we hope is arrived at Newfoundland. Lord Bellomont is not yet come to New York. *Signed*, Thomas Laurence. 1 *p.* [*America and West Indies.* 558. *No.* 5.]

July 12. **1,177.** Journal of Council of Trade and Plantations. The Secretary reported the receipt of papers relating to Bermuda from William Brooke.

Lord Arran's case further considered.

July 13. Order for Mr. Brenton to be summoned in connection with Lord Arran's case, and for Colonel Ingoldsby to attend on Friday next on the business of New York.

July 14. Order for a state of Lord Arran's case to be prepared, for further consideration.

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The memorial of the Barbados Agents as to St. Lucia was read (*No.* 1,174), and sent to Mr. Secretary Trumbull.

The business of the Scotch East India Company again considered, and heads for a representation thereupon agreed on.

July 16. Colonel Ingoldsby attending presented a state of the forces at New York (*No.* 1,185). He added that the four companies sent from England should have been 400 men, but were lessened by sickness and accident before they arrived, and now little above half of those that came out were left; that unless the officers helped the men, the men would starve, and this the officers could only do by keeping their companies a little weak; that the war ruins the people; that the French outdo us in caressing the Indians; that about two years ago £200 was raised for an expedition to destroy Cadaraqui, which might easily have been done; that he himself was under orders for it with 300 men but that it was countermanded; and that it was absolutely necessary to keep a good force at Albany, of which the fortifications were much ruined. He then handed in a map of the country above Albany, towards the Great Lake on one side and Quebec on the other.

In accordance with a request from Mr. Brenton the copy of a letter from Mr. Usher of 11 November, 1693, was given to him.

Draft representation as to the Scotch East India Company considered. [*Board of Trade.* Journal, 10. *pp.* 159-163.]

July 18. Port Annapolis, Maryland. **1,178.** Governor Nicholson to Council of Trade and Plantations. I hope that the fleet is arrived safely in England, and that the box sent by Sir Thomas Laurence is in your hands. I send a list of its contents. I received your orders of 1 February, 1697, while the Assembly was sitting, which, with your former letter of 25 September, I by the Council's advice laid before the House of Delegates. In the Journal of the Council and Assembly for 26 May you will see the answer to several of your queries. They will not directly own that setting up manufactures and handicraft-trades in Pennsylvania, the large tracts of land held by some persons here, and the encouragement given to illegal traders, are the causes that make the people leave this province. They would have it that they wish to avoid the persecution of their creditors, which causes them to shelter themselves among the inhabitants of the Lower Counties of Delaware Bay and of Carolina. The low price of tobacco has obliged many of the planters to try their fortune elsewere, and the currency of money in Philadelphia, which here is not, draws them to that province from this. I own these to be reasons, but the reasons given in my letter of 27 March are likewise true, and they were forced to own that in Somerset and Dorchester Counties the people took to making linen and woollen to supply their needs, when English commodities were not to be had. I enclose an extract from my letter of 14 June, 1695, to the Committee of Trade, concerning ships coming here. As to cotton-planting in Virginia and Maryland, the two last seasons have been so unfavourable to that commodity that little of it has come to perfection, while tobacco has been in demand, so that the planter has a good price for it both in England and here. But the cursed thing called self-interest too much governs them, for they have a notion that if they should own

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that manufactures and handicraft trades are encouraged in these parts, then an Act of Parliament would be passed in some measure to restrain them, similar to that against planting tobacco in England. Most of them or their friends and relations hold great tracts of land, and they are fearful that, if they should own it, they would be compelled to part with some of it upon easy terms, which if they do not, I do not see how it is to be planted in this age or the next. As for their darling illegal trade, it cannot be expected that they should own this to be one of the reasons which draws them away from this province to others; but they have declared that they have reason to think that my proclamation of 17 August, 1695, has much reformed the illegal practices of the Pennsylvanians and reduced their trading into this province to a good and orderly method. They have also declared that the justices of Pennsylvania harbour and entertain our fugitive mariners, servants and others, to the great prejudice of Maryland. But they will by no means be brought to address the King for a frigate to cruise about this province (chiefly, I suppose, because they think it will check illegal trade) though they cannot but own that there are no fortifications here, and that not above an eighth part of the militia are equipped according to law; but they think that the poverty of this place will discourage any attempt upon it from the sea. Nevertheless, I still beg for a small frigate, for the reasons given in my letter of 27 March last.

In your letter of 25 September you write that you conceive my intention in desiring to erect a Court of Exchequer to have been answered by the settlement of a Court of Admiralty, for which the Lords of the Admiralty have appointed officers. I find, however, that no vessel can be tried here by a Court of Admiralty for breach of the Acts of Trade unless it carry any of the enumerated commodities to any place. But I do not see that the late Act for preventing frauds gives any power for the trial of ships in an Admiralty Court for breach of that or of any other Act of Trade and Navigation. I beg your directions herein, for I still find much difficulty in getting ships condemned for breach of the Acts here, where the Courts consist of several judges, and the cases are tried by jury. They are sure to admit the slightest pretence for not giving judgment upon any of the said Acts, as the enclosed abstract of cases will shew you. The Commissioners of Customs wrote to me about the ship Expectation of this country engaging in illegal trade at Curaçoa. Mr. Randolph seized this vessel before he left the country, and I gave orders to have her tried in the Admiralty Court. I had also ordered the bonds concerning this vessel to be put in suit before I received their letter. Judgment was given for the King upon it. One William Sharpe was bound with the master, John Tench, therein, and judgment was obtained against him, but the Minutes of Council from 14 May, 1697, to the 12th of June, will shew how he has tried to reverse it. I enclose an account of the proceedings of myself and Council therein. They only cleared here for fifty hogsheads of tobacco, and by a trick, after seizure of the vessel, Sharpe got her appraised for £30. It is supposed that some of his Quaker friends in Pennsylvania were concerned with him, and that they got about £500 by the voyage. Since Sharpe has used so many tricks and made such a noise about

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it I beg that his bond may not be forgiven. I enclose Addresses to the King on the subject of Navigation bonds and the Acts of Trade and Navigation, on which I beg for your directions. I enclose also several accounts of the ships entered and cleared in the various rivers from 1692 to 1697.

As to my recommendations for the checking of illegal trade, I have already advised the employment of a small frigate, the confinement of trade to some certain places and the erection of a Court of Exchequer. I also suggest that the captains and principal officers of the King's ships, that are sent to cruise in these parts, be sworn to observe the Acts of Trade and Navigation, and that the Commissioners of Customs give them books of rates, with the Act concerning trade, and suitable instructions directing them to aid Collectors and Naval Officers in the discharge of their duties. I have reason to believe that for want of such an oath, book and instructions they have not thought themselves obliged to look so strictly after illegal traders. I suggest also that the Collectors and Naval Officers be distinct persons, so that they may be a check upon each other, and that neither of them be public traders for more than is absolutely necessary for the support of themselves and families. Their being great traders I believe to be one of the great causes of illegal trade, for they have the first refusal of the cargoes, and at last of buying the refuse-cargoes which illegal traders dare not deny them, and I suppose at low prices. These advantages, I fear, often sway with these officers. Moreover this forestalling of the market is a great prejudice to merchants and traders, for commanders and merchants are obliged to enter with them before they dispose of any goods, and to clear with them at last. I also suggest that the Collectors should be sent out from England, and that they should hold no other place of honour or profit, which too often interferes with the discharge of their duties as Collectors; also, now that they have annual salaries for themselves and for a boat and crew, they should be obliged to visit all ships on their arrival and sometimes when loading and unloading, but particularly when they have cleared them. All Collectors should further be obliged to keep up a good correspondence with each other, both on the Continent and in the Islands, and they should send to the Governors of every place from or to which there is trade within their district, a full account of the enumerated commodities exported or imported, of the bonds that they have taken and of the clearing certificates that they have granted, to which they should swear before the Governor of their own Colony, delivering him also duplicates of the same, which should be sent to the Governor of the Colony concerned. The Collectors on the Virginian and Maryland sides of the Potomac in particular should keep up such a correspondence, and the naval officers should do the same, for I know by experience how the King is defrauded for want of it. Unless these or the like methods be adopted it will be impossible to prevent great abuses in this part of the world. I am informed that some of the Custom-house officers in England suffer the masters and merchants to enter with them more tobacco than they have cleared for here (which is commonly less than they have on board) so that if they find a chance to run

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it, either before or after the officer's visit, they gain their object; and even if they do not they escape, for officers in England sometimes have no respect to the clearing here—some captains indeed have sailed from hence without them. To prevent this I suggest that the masters or merchants give in upon oath three indents, or in time of war four or six, of all the hogsheads of tobacco that they have on board, with their marks, numbers, weight of bulk, owner's names and consignee's name, such indent to be signed and sealed by the master or merchant and attested by the Collector and naval officer under their hands and seals. The Governors of Virginia and Maryland should be obliged to keep one of the indents themselves, to send another sealed up to the principal officers of the port whither she may be bound; and by that indent her entry should be made. The third indent should be sent to the Commissioners of Customs at the port of London, and the master or merchant should give bond here, according to the tonnage of the ship, to return that indent annexed to a certificate signed by the Commissioners, signifying whether they had entered more or less tobacco than specified in the indent. For the detection of counterfeit certificates (which have been too commonly used) the Commissioners of Customs should send to the Governors or Proprietors authentic and attested lists of all ships, with the masters' names, which have entered with any of the Customs officers and given security to return with any of the enumerated Articles, also like lists of all ships that have discharged any of the enumerated commodities in the places aforesaid, having given bond in the plantation so to do. These lists thus signed should be accepted in any Court as good evidence either that a certificate is forged (in which case the person producing it may be punished) or against a navigation bond if such bond is put in suit. These lists should be sent in letters by all opportunities, and the persons to whom they are delivered should give a receipt for them and an engagement to deliver them to the Governor, Naval Officer or Collector; for sometimes I do not receive the letters of the Commissioners of Customs until six, eight or ten months after their date. Sometimes the person who brought them is returned for England, and it may be that I never receive them at all, for I suppose that some are afraid to bring in their letters, and either destroy or delay delivery of them.

I enclose several accounts of the shilling *per* hogshead duty and of fines and forfeitures. I have already sent you as exact accounts as I could of the two shillings *per* hogshead duty, and Mr. Edward Randolph will tell you what difficulty we met with in getting them done, for I found that neither Governor Copley nor Sir Edmund Andros had adjusted these accounts, which made them the more intricate. In these accounts there were two concerning Mr. Kenelm Cheseldyn and Mr. John Coode, which I request may not be passed until I am heard on behalf of the King, for you may wish to be informed of the remarks made on them by the committee appointed to examine them. I send herewith several accounts of Mr. George Muschamp, Receiver of Potomac District. By all these accounts you will see that the King's revenue is not now in debt, nor is the country, though we are very poor. Pursuant to your orders £20 a-piece have been allowed to the three Ministers, Richard Sewell,

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Thomas Cockshutt, and Stephen Bordley. An address from the Council and Assembly is enclosed respecting the assistance to be given to New York. The impost on liquors has amounted to very little this year, as also that upon negroes, though both negroes and servants are much wanted, which, the House of Delegates and the Council have observed, is one of the causes of the decay of trade in Maryland. Since the last report of the gentlemen sent to the Piscattaway Indians I have heard no more from the Indians nor concerning them, but I shall take all possible care in this affair. As to assistance to New York we have ordered the balance of what was in bank to be paid to that province. I shall endeavour to fulfil the King's commands in that affair and lend the country money, though I get very little. But I would point out that I found this province much in debt and was forced to do many things which I thought were absolutely necessary for the King's service, though very chargeable. The King has not the two shillings *per* hogshead here as in Virginia, for Lord Baltimore has half of it, also the fourteenpence *per* ton and the quit-rents. According to my accounts there are more ships within the Capes than there is tobacco to lade them; Virginia and Maryland were never so bare of tobacco since the war began, but there is great likelihood of pretty good crops of all sorts. I hope there will never be such just occasion for stopping the fleets in England as there was last year, and that the next fleet will be here before April next, lest they should not get out of the country before the hottest weather and the worm come, the one being very prejudicial to the men's health, and the other to the ships' bottoms. Some of the merchants may for their own interest try to delay the fleets' arrival until next fall come twelvemonth, or at least until it shall be too late for them to get out before that time; but you will judge how prejudicial this would be to the King's interest. The House of Delegates, upon a motion to address you for a separate convoy for Maryland, resolved that it would not be convenient, since the Virginia fleet would have quicker despatch and so would forestall our market. Whether this or the resolution sent with my letter of 27 March will be more for the King's service, you can best judge, as also whether the Order in Council of 14 February, 1694—that no ships should be cleared from Maryland without giving security to call on the Governor of Virginia—shall be reinforced. In the journals you will find that the Council and the Delegates regard this Order as very prejudicial to the trade of Maryland, since, besides the delay, it discourages ships to come here and encourages them to go to Virginia.

I enclose an address from both Houses about our boundary towards Pennsylvania and the territory of Newcastle, also a paper signed by Major William Whittington concerning some dispute thereon. You will find in the Journals of Council an account which I had from Mr. John Childs, and my proceedings thereupon. I am forced to be on my guard lest any mischief should happen in Maryland through the pirates and privateers in that no-government; for I am sensible that, as Pennsylvania, Newcastle and territories have been and still are managed, they are every way prejudical to the King's interest. I enclose an information of Mr. Thomas Robinson, attested by Mr. Francis Jones of Philadelphia, concerning

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privateers and pirates. Mr. Jones is bound for London and is the bearer of this letter. He can give you further information if you desire it. I hope the King's late orders regarding impressment of seamen in the Colonies will be of great service, for it gives great satisfaction in these parts. His further orders as to fugitives and deserters I hope will be obeyed, the contrary having been very prejudicial to some of the Colonies under the King's immediate government. The answer of the Council and delegates is herewith enclosed, and you will see from the journals what I and the Council have done concerning privateers and pirates. I am much concerned that I cannot give you a better account of the militia, though I have endeavoured by all means to bring them to a good offensive and defensive posture. But the extreme poverty of most, the awkwardness and wilfulness of some, and the scarcity of arms and ammunition makes it impossible for me, as the Militia Act now stands. I proposed to the last two Assemblies to alter it, but they are so bigoted with their old ways and customs that I could not prevail with them, though I hope that the next Assembly may be convinced of the absolute necessity of it. Meanwhile I shall look after the militia and if possible put them in a better condition. I enclose an address of thanks to the King for appointing your Lordships a Council for Trade, and also a congratulatory address to him. Pray give orders about presenting them. *Signed*, Fr. Nicholson. 11½ *closely written pages. Endorsed*, Recd. 30 Sept. Read 11 Oct., 1697. *Entered in Board of Trade.* Maryland, 9. *pp.* 119-137. *Enclosed,*

1,178. I. A list of the journals and records of public proceedings sent to England in the care of Sir Thomas Laurence by the last fleet. *Endorsed*, Recd. 30 Sept. 1 *p. Entered in Board of Trade.* Maryland, 9. *p.* 113.

1,178. II. A list of duplicates and other documents sent to England on the 12th of July. *Signed*, Thomas Laurence. 1½ *pp. Endorsed*, Recd. 30 Sept. Read 1 Oct., 1697. *Entered in Board of Trade.* Maryland, 9. *p.* 114.

1,178. III. Extract of a letter from Governor Nicholson to the late Committee of Trade, dated 14 June, 1695, asking that a good number of ships be permitted to come to Maryland, and that they may arrive in January or earlier. 1 *p. Endorsed*, Recd. 30 Sept. Read 15 Oct., 1697.

1,178. IV. Abstract of the causes continued from the May Court, 1697, at the King's suit upon Navigation Bonds, and the reasons why they were continued. A list of fifteen cases in which Navigation Bonds were put in suit, and the proceedings postponed, the defendants in most instances pleading that certificates were on their way to them. 2 *pp.*

1,178. V. Record of the Court of Appeal of Maryland 3rd and 4th June, 1697, in the matter of William Sharpe, who sought release from custody on a technical point. *Copy.* 3 *pp. Endorsed*, Recd. 30 Sept. Read 15 Oct., 1697.

1,178. VI. Address of the Council and Delegates of Maryland to the King. Repeating the request of their former

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address of 10 July, 1696, for mercy to several merchants who have become responsible, as securities, for the misdeeds of certain masters of ships. *Copy.* 1 *p. Endorsed,* Recd. 30 Sept. Read 14 Oct., 1697.

1,178. VII. Address of the same to the King. Setting forth that the trade of Maryland suffers owing to the lax enforcement of the Acts of Trade and Navigation in neighbouring Colonies as compared with the strict enforcement of the same in Maryland; and requesting that the execution of the said laws may either be relaxed in Maryland or more strictly enforced in the neighbouring Colonies. *Original. Forty-seven signatures.* 1 *p. Endorsed,* Recd. 30 Sept. Read 14 Oct.

1,178. VIII. Address of the Council and Delegates of Maryland to the Council of Trade. Representing, on their order of 1 February, 1697, respecting assistance to New York, that they had already impoverished themselves by sending money to New York, that the King had accepted this in full discharge of the quota, and that they had now the prospect of a war with neighbouring Indians, and begging that the King will excuse them from further contributions. *Forty-six signatures. Original.* 2½ *pp. Endorsed,* Recd. 30 Sept. Read 14 Oct., 1697. *Entered in Board of Trade.* Maryland, 9. *pp.* 142-143.

1,178. IX. Address of the same to the Council of Trade. Asking the Council, after hearing both parties, to define the bounds of Maryland and Pennsylvania, owing to the encroachments of the latter; and pointing out that the laws against harbouring deserters and runaways in Maryland are already sufficiently stringent. *Forty-seven signatures. Original. Large sheet. Endorsed as No.* VIII. *Entered in Board of Trade.* Maryland, 9. *pp.* 138-141.

1,178. X. Information of Thomas Robinson. As to the escape of two of the crew of the pirate Every from prison in Philadelphia, the neglect of the Sheriff to re-apprehend one of them, the refusal of the Sheriff to fill up a warrant so that deponent might arrest one of them, and the fact that pirates, against whom warrants had been issued, walked through the streets of Philadelphia in perfect safety.

Confirmation of the said information by Francis Jones. The whole, 3¼ *pp. Endorsed as No.* VIII. *Entered in Board of Trade.* Maryland, 9. *pp.* 144-148.

1,178. XI. Examination and depositions of William Whittington, Surveyor of Somerset County, Maryland. As to encroachments of Pennsylvania on the frontiers of Maryland, and violent proceedings on the part of the Pennsylvanians when their encroachment was resisted. 1 *p. Endorsed,* Recd. 30 Sept. Read 15 Oct., 1697. *Entered in Board of Trade.* Maryland, 9. *pp.* 161-163.

1,178. XII. Address of the Council and Delegates of Maryland to the King. Thanking him for the appointment of the

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Council of Trade and Plantations. *Forty-seven signatures. Original.* 1 *p. Endorsed as No.* VIII.

1,178. XIII. Congratulatory Address of the same to the same. *Copy.* 1 *p. Endorsed as No.* VIII. [*Board of Trade.* Maryland, 3. *Nos.* 25, 25 I.-XIII.]

July 13. **1,179.** Abstract of the foregoing letter of Governor Nicholson to the Council of Trade. 2 *pp.* [*Board of Trade.* Maryland, 3. *No.* 26.]

[July 13.] **1,180.** A collection of memoranda of the receipt of the various accounts advised in Governor Nicholson's letter of 13 July. 11 *pp.* [*Board of Trade.* Maryland, 3. *Nos.* 27 I.-XI.]

July 13. **1,181.** Minutes of Council and Assembly of Antigua. Message from the Assembly, sending up a bill of charges for a flag of truce to Martinique for payment, and requesting that no further flags be sent without consulting the country; asking that the country might not be put to the charge of maintaining French prisoners taken by privateers and for the remission of duty on prize-goods; and suggesting that, having regard to the number of bills before them they should sit *de die in diem* until the business should be finished. Answer of the Council concurring in the above address. Orders as to certain petitions. The Governor recommended the freeing of a deserving negro at the public expense. [*Board of Trade.* Leeward Islands, 64. *pp.* 198-200.]

July 13. Plymouth. **1,182.** Captain St. Lo, R.N., to William Popple. The West India outward-bound fleets are still here, but your packets for the West Indies are disposed of to H.M. ships Sheerness, Chatham, and Norwich. *Signed,* G. St. Lo. *P.S.*—The West India fleet sailed this afternoon. ¼ *p. Endorsed,* Recd. 15 July, 1697. *Enclosed,*

1,182. I. II. III. Receipts of Captain B. Bowles of H.M.S. Sheerness, Captain G. Simmons, of H.M.S. Norwich, and Captain Samuel Whitaker, of H.M.S. Chatham, for the packets to the President and Council of Barbados, the Captain-General of the Leeward Islands and the Governor of Jamaica, respectively. *Dated,* 10 July, 1697. *Each* ½ *p.* [*Board of Trade.* Plantations General, 4. *Nos.* 61, 61 I.-III.; *and (without enclosures)* 34. *p.* 173.]

July 14. **1,183.** Minutes of Council and Assembly of Nevis. The Assembly agreed to a proposal of the Council to compensate owners for the loss of any negroes now employed in cutting *lignum vitæ.* The oaths of the Treasurer and Treasury-waiter were read, and both of them were sworn. [*Board of Trade.* Leeward Islands, 64. *pp.* 423-424.]

July 15. Jamaica. **1,184.** Governor Sir William Beeston to Council of Trade and Plantations. Since my last I have received yours of 11 and 12 February last. The first, in recommendation of Captain Lilly, is a kind care intended by you for the place, but an engineer without men or money is of no use. Had the amount of his salary been laid out yearly in the passages of men to this island, to strengthen us, it would have done great good, but this will do none, for we

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are not so ignorant as Captain Lilly (to get himself a living) has rendered us. Being long acquainted with the country we know better how and where to fortify it than he, a stranger; and besides, the country is so large and has so many harbours, bays and rivers to land at that it can only be fortified by men, for anything more than a town or harbour to secure shipping or trade. He is not therefore likely to have anything to do, for the treasury of this island, owing to the small income during war-time and heavy charges, is at least £5,000 in debt, which leaves us little money to fortify. I can give you no better answer concerning Mr. Lewis than that he still continues in his office and that his accounts, herewith transmitted, have hitherto been very strictly audited, by my order. The country very severely feels the want of the Act against engrossing, for the provisions are carried out as fast as brought in and thereby kept at a very dear rate, and all the customs which their exportation would have brought in is lost to the King's customs, since for want of the Act it cannot be demanded. We have no pirates nor privateers among us nor men left to man one privateer of sixty or seventy men, yet we thank you for your representation to the King in relation to Every's men. But the order about impressing will signify very little if the Governors of these Colonies must be obliged to impress the people whenever the captains say that they want men. Neither the Southampton nor the Reserve have one supernumerary man sent by this fleet, but they have increased their crews by a few stragglers and prisoners. The squadron made but little stay here, but is gone again for Europe. While they were here I did them what service I could, and lent them our fire-ships which will cost the country £300 or £400 in repairs; yet according to the paper I herewith transmit you will see that they were not pleased, though for what reason I cannot guess. However it happens luckily that Captain Moses, whom they propose for a voucher, denies all, and had Captain Wakelyn been here I doubt not he would have done the like. I know not what they intend to say and therefore I know not how to defend myself, but I beg that nothing may be taken for granted until return back and enquiry by the Council. Then if anything has been done here to the prejudice of the King's service I shall willingly acquiesce. For I not only granted all that was desired of me, but, for fear the fleet should want provisions, voluntarily prohibited the export of all in the port until the fleet's wants were ascertained. I send in a box the Minutes of Council and muster-rolls of the island. If all the absent and unable were struck out I am satisfied that those rolls would show 500 men short of the present returns. I send also the public accounts. I must bring before you the great prejudice it is to this island that the patentees who hold all the great offices live in England and send over any one to officiate for them, strangers to the place, to the people and to the offices which they come to manage. When they fail to pay their rent or chance to die, other strangers are sent in their room, by which means the Treasury, Secretary's office and all others are ill and unduly managed. Thereby men's interests are in danger and their estates precarious. It is but just that the King should dispose of

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those offices, but then the Patentees should either officiate themselves or else desire the Governor and Council to put in a fitting man, else great trouble and lawsuits must ensue to the ruin of many families, in time, by the neglect and ignorance of such officers. Admiral Nevill has unfortunately missed Mons. Pointis and the plunder of Petit Guavos, but he has carried away a considerable number of privateers from the French whom they took in some prizes. Hereby they have eased us of some of that load, insomuch that unless force be sent from France they cannot do any public harm, but I fear the burning of Petit Guavos will exasperate them to burn the poor people's settlements in the out-parts of this island, which we want a nimble fifth-rate ship to prevent. *Signed*, Wm. Beeston. *P.S.*—The King's orders being that no man shall hold two offices, the people murmur that Mr. Brodrick is Attorney-General and Judge Admiral, and think it a great prejudice to the country. 2 *pp.* *Endorsed*, Recd. Read, 2 Nov., 1697. *Enclosed*,

1,184. 1. Memorandum of some discourse that passed on board H.M. ship Lincoln, Captain William Wakelyn, in Port Royal, 4 July, 1697. I, John Lewis, having some accounts to be adjusted with the Victualling Office of the King's Navy, a bill was sent to the Agent of the office, Philip Rogers, for Admiral Nevill by Captain Wakelyn. Rogers asked if this was part of the £200 that was presented to the flags as a gift. Captain Wakelyn smiled. Rogers said that it was like all the rest, and that the Admiral would write of the Government's misusage of them, and that the misfortune of the fleet was due to the Government's mismanagement, for they had no intelligence of the enemy, although Captains Wakelyn and Moses tendered their services to wait, to give the fleet notice of the enemy. But instead of that they would send a sloop to the Spaniards and invent news, which sloop was to lie and dispose of her goods although the island was in danger of being taken; the sloop was not to return till the goods were sold, and Admiral Nevill's sloops, which he hired and paid wages to, did the like. Hearing all this I thought they had no reason to say it, knowing most of it to be false. I replied that they could not have had better information than they had, for the sloop employed by the Government gave them a very good account before they came in. He answered that such a fleet could not believe the account of the master of such a boat. I then replied, as to the alleged trading of the master of the sloop, that if he had done any such thing, it was unknown to the Governor. The discourse then ended, Rogers saying only that what he said could be proved by Captains Wakelyn and Moses and by others. I cannot remember all that passed, but to the foregoing I can swear. *Signed*, John Lewis.

The above declaration was shown to Captain Moses, who subscribed it as follows. I hereby declare that Admiral Nevill never asked me, nor to my knowledge

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Captain Wakelyn, any question concerning the subject contained in the above declaration; nor did Captain Wakelyn to my knowledge ever give Admiral Nevill any information whereon to ground such discourse. I know no reason therefore why Mr. Rogers should say that either Captain Wakelyn or myself could prove any such thing; but I rather believe the said voluntary declaration to be false, scandalous and villainous. *Certified copy. The whole.* 1 *p.* [*Board of Trade.* Jamaica, 8. *Nos.* 64, 64 I; *and (without enclosure)* 56. *pp.* 139-145.]

July 16. **1,185.** Colonel Richard Ingoldsby's account of the condition of the forces at New York. Many of the soldiers sent from England have died or deserted, but the Assembly has several times, as occasion required, raised at their own charge recruits in the Country to serve in the standing forces for a certain time for defence of the frontier. But, when their time is up, neither the Governor nor any other officer has power to detain them longer without the Assembly's enacting a further supply of the same recruits. This they have hitherto done because of the great hazard of the French and their Indians in ruining the frontiers, which have suffered very much in this war. Many families have been cut off in the distant settlements of Albany and Senectady, which are very much depopulated, many good plantations deserted, and the Country laid waste for many miles together. The raising of these men is not only a great charge to the Country, which gives £6 a man for enlisting, and adds fourpence a day to the King's pay, but it is also very difficult to find men to serve and a great hindrance to the improvement of the Country. I believe that if the King would send 150 recruits for the present occasion the Country might, on Lord Bellomont's arrival, be induced to settle a fund sufficient to pay for bringing over all recruits that would be wanted in future. The officers and men have all along had 30 *per cent.* deducted from their English pay, and for my part (and I believe it is the same with the other captains) I have been made to allow 30 *per cent.* of the subsistence which was paid to the Company in England before their transportation, and indeed for a year before I had command of them; so that on this account near £400 has been deducted from me; to which I have been forced to submit on pretence that it was so ordered on the Establishment here. This great deduction reduces the pay to so little that the officers can hardly live, and the soldiers, far from receiving any money, have not pay enough to fill their bellies, which makes them very apt to desert. The soldiers had one entire clothing when Governor Fletcher came over about five years ago, but since then nothing but two pairs of stockings, two pair of shoes, two shirts and one surtout coat, so that at this time they have scarce rags enough to keep them warm. It is therefore absolutely necessary to send them clothing and also bedding, the soldiers having none left, while the town of Albany, where three of the Companies are always quartered, cannot supply them. 1½ *pp.* *Endorsed,* Presented to the Board by Colonel Ingoldsby. Recd. Read, 16 July, 1697. [*Board of Trade.* New York, 7. *No.* 37; *and* 52. *pp.* 181-183.]

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July 17. Whitehall.

1,186. William Popple to the Attorney and Solicitor General. I forward some Acts of Barbados passed between 18 August, 1696, and 27 January, 1697. As the consideration of the Acts of the Colonies is of very great importance, the Council of Trade requests that these and all others sent to you may be dispatched with all convenient speed, and, to remove all possible cause of delay, the Council will be content that the reports thereon be made by either of you, leaving it to you to divide the work as best suits you. Lists of Acts now in your hands and of those that are now sent to you are enclosed. [*Board of Trade.* Barbados, 44. *pp.* 76-78.]

July 18. London.

1,187. Jeremiah Basse to William Popple. You cannot be insensible of the dishonour as well as damage suffered by this nation through the increase of piracies under the banner of England in any part of the world. The depredations of Avery [Every] on the coasts of India and Arabia have come under your cognisance, but I believe that you have not been informed of the increase of pirates on those coasts caused by the expectation of great riches there, and perhaps too much by the connivance of those who ought to have suppressed them. The Colonies in the Islands and Main of America have not a little contributed to this increase. In my time several vessels, suspected to be bound on this design, sailed from one province or another of the continent, leaving some of their wives and families as pledges of their return behind them (*sic*), and I am advised that four or five vessels are expected to return within these few months, which have on board them men belonging to New England, New York, the Jerseys, &c. They will be emboldened thereto by the good entertainment that they have formerly met withal in those provinces and their ignorance at present of anything that may lead them to expect worse entertainment at present, unless any rumour of the new orders to the Governors respecting them should have reached their ears. If they have heard of these orders they will endeavour to prevent the enforcement thereof by running their ships into some unfrequented port, and thence dispersing themselves in places where they may think themselves secure, where perhaps they will abide until their extravagance has exhausted their stock and forces them to go on a new expedition. It being very much for our honour and interest to prevent this in future, I would ask your advice as to what is best to be done (1) with those who have formerly been pirates and are now settled in New Jersey, and (2) with those that enter the country later, in order to suppress them in time to come. The people make so much advantage from the currency of their money that they will not be very forward to suppress them, unless it be enjoined on them by a power that they dare not disobey. I confess that having been taken and ill-used by some of these men I am filled with a just aversion to them. There are other matters concerning the Government of Jersey as to which I desire your advice, but at present I shall only ask whether all persons holding a place of state or trust, whether Justices of the Peace or representatives in the Assembly, are not to qualify themselves by taking the oaths and signing the Association. It is no small concern to the Provinces to have certain knowledge of this. The absence of one of our principal Proprietors has prevented me

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from laying before them the bonds and proposals of security demanded by the Council of Trade, which by yours of 8 June I expected to be previous to my nomination as Governor of the Jerseys. I confess that were the things true that are alleged against the Proprietors, Colonies and Governors, there would seem to be some reason for this demand, and yet even then (in my opinion) the bond of the Governor residing and acting in the province may be adjudged sufficient, particularly in the Jerseys, no person being capable of acting without the Royal approbation, which indeed seems to render the Governor almost as much the choice of the Crown as of the Proprietors; for it is rational to suppose that the Crown will not approve of any man who, there is reason to believe, will not promote its honour and interest; and speaking for myself, if I were so foolish as to act in contradiction to the Crown's interest I should find little opportunity of so doing. Tobacco, the exportation of which to Scotland or Holland is a chief matter of complaint, does not grow in the Jerseys in sufficient quantities to supply the wants of the province. Nor can I think that the Crown will run any risk by accepting the personal security of a Governor if he have property in the province or in England that will answer his bond if forfeited, and it is most rational that if he offends he alone should be punished, which he will be by incurring the penalties of the Act of Parliament, forfeiting his bond and losing his Government. In a word I look on it as a little too great suspicion of my probity and zeal to require so great a caution, when the Proprietors who have entrusted me with the Government have also entrusted me with the management of all their estates there, which cost them some thousands of pounds more than the security required of them, and this without demanding my own or any other security. I would gladly be held in such good opinion by this Government as to induce them to believe that I would do more from zeal and good affection than from fear of penalty or damage. [*Board of Trade.* Proprieties, 25. *pp.* 85-90.]

July 19. **1,188.** Minutes of Council of Barbados. Bill of Excise read, amended and ordered to be sent down to the Assembly. Order for Captain Thatcher of H.M.S. Bideford to appear and answer for his conduct, first in not sailing until the 18th instead of on the 17th as ordered, and next in returning, on pretence of wanting men, instead of convoying the fleet to the latitude of Deseada, as ordered. He accordingly appeared, together with his lieutenant and master, when he excused himself by saying that he had not men enough, though it appeared that he had sailed from England with no more. The Council let him know that he had been guilty of great neglect but that they would not suspend him, believing it was not designedly done, but should represent his conduct to the Admiralty. Militia bill read once and committed. Order for payment of one month's travelling allowance to Robert Chapman.

July 20. Bill for the making of new entrenchments read thrice, passed and sent to the Assembly. A sloop was taken up to sail to Martinique road. The Assembly desired a further conference on the Agents Bill. Major Peers appointed keeper of the magazine. At the

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conference the Council stood to their resolutions respecting the Agents and desired the Assembly to bring in a new bill. [*Board of Trade.* Barbados, 65. *pp.* 227-230.]

July 19. **1,189.** Journal of Council of Trade and Plantations. Order for all Associations and Addresses from the Colonies to be sent to Mr. Secretary Trumbull.

State of Lord Arran's case read; and ordered that Sir Henry Ashurst have notice of his claim that he may have the opportunity of answering on behalf of Massachusetts.

July 20. Mr. Charles Story attending, represented the necessity for some orders as to affairs in New Hampshire, owing to the uncertainty when Lord Bellomont may be able to repair thither. Directions were given for a representation to be drawn up accordingly (*No.* 1,196).

Order for the Attorney General to attend on Monday next, on the business of the Scotch East India Company.

July 21. The Commissioners for Transportation attended on the business of the transportation of fifty women convicts. The answers from the Agents of the Colonies thereupon were read, and since all refused to receive these women except the Leeward Islands, it was agreed to recommend that they be sent thither.

The representation as to New Hampshire was signed.

July 22. Memorial of the New York Agents as to the women convicts read (*No.* 1,190), and a representation thereupon agreed to.

Mr. Basse's letters of 18th and 21st inst. were read (*Nos.* 1,187, 1,197), and orders were given to the Secretary for his answer thereto (*No.* 1,198). [*Board of Trade.* Journal, 10. *pp.* 163-170.]

July 20. **1,190.** The Agents for New York to Council of Trade and Plantations. In the matter of the transportation of women convicts referred to us in your letter of 2nd inst., it will not be to the disadvantage of New York that they be sent thither, if they are young and fitted for labour, and provided that they be committed to some person who will take care for their clothing and diet after arrival until they can be otherwise provided for, and who will dispose of them in service for some certain number of years, not less than four nor exceeding seven. *Signed,* Chid. Brooke, W. Nicolls. ½ *p.* [*Board of Trade.* Plantations General, 4. *No.* 62.]

July 20. Whitehall. **1,191.** Council of Trade and Plantations to Mr. Secretary Trumbull. Forwarding associations and addresses to the King from Maryland, New York and the Leeward Islands. *Signed,* J. Bridgewater, Tankerville, Ph. Meadows, Jo. Locke, Abr. Hill. *Lists of the documents follow.* [*Board of Trade.* Plantations General, 34. *pp.* 174-175.]

July 20. **1,192.** Minutes of Council of Virginia. Captain Mason's letter was read concerning the Emperor of Piscattaway's adding some Senecas to his own nation and desiring to settle under the Government of Virginia. Resolved that the said Senecas may come and go in safety like other friendly Indians, but that the Piscattaways must return to their old habitation in Maryland. The Governor approved fees for the officers specially appointed to the Admiralty Court. [*Board of Trade.* Virginia, 53. *p.* 71.]

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[July 20.] **1,193.** Duplicate Copy of Minutes of Council of Virginia from 11 June to 20 July, 1697. [*America and West Indies.* 638. *No.* 30.]

July 21. **1,194.** The Agents for Barbados to Council of Trade and Plantations. Respecting the transportation of fifty women convicts referred to us in your letter of 2nd inst., it will be no convenience nor advantage to Barbados to have them sent thither, for no English women are there put to work in the field, and the people will not be willing to take such as those into their houses, so that they will be altogether useless. But in places where white women work in the field, as Virginia and Carolina, such women as those may be useful and acceptable. *Signed*, Edw. Littleton, Fran. Eyles. ½ *p.* [*Board of Trade.* Plantations General, 4. *No.* 63.]

[July.] **1,195.** The Agent for Massachusetts to Council of Trade and Plantations. As to the transportation of women convicts, the Government and inhabitants of New England have from their first settlement earnestly desired to be excused from entertaining criminals transported to America. But it is well known that they will be willingly entertained by Virginia, Maryland, Barbados, Jamaica, or the Leeward Islands. *Signed*, Hen. Ashurst. ½ *p. Undated.* [*Board of Trade.* Plantations General, 4. *No.* 64.]

July 21. Whitehall. **1,196.** Council of Trade and Plantations to the Lords Justices of England. We lay before you an account of disorders in New Hampshire. Mr. John Usher was by Commission of the King and Queen appointed Lieutenant-Governor, and continued in the Administration until the late disturbances. Mr. Partridge has since been appointed by the King's commission to succeed him and has repaired thither, but has not published his Commission nor assumed the Government, alleging (as we are told) that there is no one authorised to administer to him the oaths appointed by Act of Parliament, by reason of which defect (whatever its cause) we conceive that the King's authority still remains vested in Mr. Usher. Nevertheless, we learn from Mr. Usher and from persons recently arrived from New Hampshire that John Hincks, William Vaughan and Richard Waldern, whom Mr. Usher had suspended from the Council, had seized the Government during his absence at Boston, removed several officers and appointed others in their stead. Moreover, on Mr. Usher's return to the Province these persons continued their disobedience by acting separately as a President and Council, called out the militia, seized several persons and designed also to seize Mr. Usher, upon which he retired to Boston. Until Mr. Partridge qualify himself or Lord Bellomont arrive, or your Excellencies think fit otherwise to determine, we submit that you should give directions that the Royal Authority be not trampled on in the person of Mr. Usher, but that all persons be required to obey him; also that Lord Bellomont on his arrival enquire into the matter and take measures to remedy the disorder. *Signed*, J. Bridgewater, Tankerville, Ph. Meadows, John Locke, Abr. Hill. [*Board of Trade.* New England, 36. *pp.* 214-216.]

July 21. **1,197.** Jeremiah Basse to William Popple. I had hoped for a reply to mine of 18th, the more so as my stay in England must be short. I am sure that no one ever went to those Colonies with

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steadier resolutions of acting for the honour and interest of the Crown, and I shall be extremely sorry if I am disabled by want of the necessary orders from the Council of Trade. Piracies, the great and just complaint of America, ought to be discouraged, and though I am aware that any who attempt it, as I would willingly do, will expose themselves to no mean hazards, yet I am fully resolved to conform myself to the instructions that I hope to receive thereupon. I shall also need some rules to walk by in respect of the late Act to regulate the Plantation-trade. Pray favour me with an answer. [*Board of Trade.* Proprieties, 25. *p.* 91.]

July 22. Whitehall. **1,198.** William Popple to Jeremiah Basse. Yours of 18th and 21st inst. have been laid before the Council of Trade, who while approving your zeal for the suppression of piracy desire a fuller explanation of certain matters which you hint at upon that subject. Which are the provinces that have been most blameable in their conduct towards pirates? What particular facts do you know about the pirates or their abettors? Who are the pirates now expected to return, and to what particular place? By whom were you yourself taken and ill-used? What methods do you think best for the suppression of pirates, and how do you wish to go about the work? What court is there in New Jersey which can or ever did try pirates, and what law have they there to do it by? As to taking the oaths and signing the Association, I cannot do better than refer you to the Act of Parliament. As to the bonds to be given by the Proprietors you must have understood from my letter of 6 May last, that the orders given thereupon are the King's, upon address of the House of Lords, wherefore you should not take them as peculiar to yourself, nor expect them to be altered by the Board. [*Board of Trade.* Proprieties, 25. *pp.* 92-93.]

July 22. **1,199.** Order of the Lords Justices of England in Council. That out of the salary of £600 a year allowed to the Chief Governor of New York, £400 be allowed to Lord Bellomont as Chief Governor and £200 to the Lieutenant-Governor, since the Lieutenant-Governor will also have a company of foot. It is further ordered that there be Lieutenant-Governors of Massachusetts and New Hampshire, so they be no charge to the King. *Signed,* Wm. Bridgeman. *Copy.* ½ *p. Endorsed,* Recd. 6th, Read 10th August, 1697. [*Board of Trade.* New York, 7. *No.* 38; *and* 52. *p.* 187.]

July 22. **1,200.** Minutes of Council of Massachusetts. Order for payment of £11 to certain Constables who were arrested at Rhode Island while executing their warrants there, and of £22 to the Commissioners appointed to treat with Rhode Island and Connecticut. [*Board of Trade.* New England, 49. *pp.* 105-106.]

July 23. Jamaica. **1,201.** Governor Sir William Beeston to the Duke of Shrewsbury. Yours of the 12th April has duly reached me. The Spaniards fought not in defence of Boca Chica nor Carthagena, for which they have miserably suffered, but the French lost 1,300 men there from sickness and went away with a sickly fleet. Admiral

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Nevill met them at sea, but unfortunately lost them by out-sailing and accidents of masts breaking, etc. Only two or three of their privateers were taken, and they had an ill success at Petit Guavos, where Mr. Mees was in possession of the town, but was forced to fire it and retire by the drunkenness of his men. The whole fleet are now gone to Havana in search of the galleons. This is the short of those passages. The loss of all was the long delay before the fleet came hither, but the dispatches about them having passed through the hands of Sir William Trumbull, I have been something more large in my particulars to him, though I am not able to give a true relation of any passage, since I find they differ about all things themselves in the reporting. *Signed*, Wm. Beeston. *Holograph*. 1 *p*. *Endorsed*. R. 3 Oct., 1698. *Annexed*,

1,201. I. Copy of a letter from John Gyles at Petit Guavos to Captain William Peartree, at Port Royal, Jamaica, 6 August, 1696. There is a sloop, if not a brigantine, going down to the Cabaretas, and to Mr. Davis's, and all along them quarters. I was informed by a negro, who was one of Davis's, who says that there is an English Indian pilot going with them. The brigantine has as least ninety to one hundred men. I am also told by some here that this flag of truce is sent down with some gentlemen to see what condition the island is in, for they expect daily ten sail of men-of-war and two bomb-ketches, said to be for Jamaica. *Certified copy*. ½ *p*.

1,201. II. The Governor of Port au Prince to Sir William Beeston. $\frac{5}{15}$ February, 1696. The alliance between the Kings of Spain and England prompts me to send you the enclosed information of a French surgeon who was captured in a harbour of this island, that you may prepare yourself for defence. We shall make every preparation here. *Signed*, Don Gregorio de Valesto. *Copy*. ½ *p*.

1,201. III. Information of a French surgeon of a vessel captured in one of the bays to north of Port au Prince. I and twenty-five men had a sloop, under Captain John Cross, who had a commission from the Governor of Petit Guavos. They escaped, and I was left. We had captured a sloop on the coast of Jamaica. Several sloops have gone from Petit Guavos privateering to the Indies, including one John Bear, who had been in the service of Spain, but had joined that of France. In August two ships arrived at Petit Guavos from France, and there was great collecting of stores, for it was said that forty ships were coming out to attack Jamaica and Barbados. *Copy*. 1 *p*.

1,201. IV. Information as to the movements of the French fleet, 10 March, 1696. The fleet came down from the Windward Islands to find out whether the French were all destroyed or not. They brought all the inhabitants of St. Croix and three companies of soldiers, of which one is at Cap François, another at Petite Rivière, and a

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third at Petit Guavos. There were four men-of-war, two cravats and two store-ships. The fleet is very sickly and the men die unspeakably. The fleet is at Port d'Espe, and the Governor has called out all the inhabitants, for they expect the Spaniard before Easter. *Copy.* [½ *p. Board of Trade.* Jamaica, 8. *Nos.* 65, 65 I.-IV.]

July 24. **1,202.** Memorial of the Agent for Massachusetts as to the petition and case of Anne, Duchess of Hamilton. I should be glad if by anything I could say I could serve the noble family of Hamilton, but the Duchess's petition concerns the interest and estate of hundreds of families of New Plymouth, now annexed to Massachusetts. I have no instructions of any kind from the Government of New England to answer her Grace, but I shall send over a copy of her petition by Lord Bellomont to the Government. If her claims do not stand to any land within Massachusetts, I shall trouble the Council of Trade no further; but if they do, I hope that any decision to the prejudice of Massachusetts may be deferred until I receive the Government's authority to make its answer and defence. *Signed,* Hen. Ashurst. 1 *p. Endorsed,* Recd. 24th, Read 26th July, 1697. [*Board of Trade.* New England, 8. *No.* 117; *and* 36. *pp.* 216-217.]

July 26. London. **1,203.** Jeremiah Basse to William Popple. I reply to the questions in yours of 22nd inst. As to which of the Colonies have been more blameable in their conduct towards pirates, I think that most of them, both in the Islands and on the Main, have been to blame, some through ignorance of their duty, some from powerlessness to suppress the evil, and some no doubt from the prospect of gain. Those most noted for the protection and punishing of pirates when I was there were Rhode Island, New York, Carolina and Providence. I have known several persons suspected of being concerned in these ill-designs that have been entertained and settled in New Jersey, Pennsylvania, Maryland and Virginia; but those in New Jersey have received a pass from the Governor of New York which obstructs any further enquiry by us. I am informed that there is now out on a piratical voyage the ship Kent, formerly commanded by one Ball and now by Thomas Day. She is said to have put in to Carolina, sold all her lading at under rates, taken in men and provisions and gone privateering. You have doubtless heard of Tew, etc. who came into Rhode Island and thence to New York, fitted out again and carried with him one Want in a brigantine and another vessel. They are said to have since strengthened themselves by taking a ship belonging to the merchants of New York, commanded by one Glover. They are reported to have sent remittances to the owners in satisfaction of that depredation. There is another Glover who came from Jamaica, took a rich prize from the French, went afterwards to the Coast of Guinea and joined the rest on the coast of Arabia. In all I am told that there are gone from Boston, New York, Pennsylvania, Carolina and Barbados, from each one ship and from Rhode Island two. There are some others that ran away with a ship belonging to the merchants, but are not yet certainly discovered to be gone thither. The Nassau met

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one of these rovers at the Cape Bonne Esperance homeward bound from India. I was told by the mate of her that being fearful lest the Dutch should make prize of her they got leave to put some chests of money on board her, which chests were so heavy that six men at the tackles could hardly hoist them in. The chests were given back to the rovers at sea, who announced that they were bound to Madagascar. The persons expected to return are Tew's company, all those that sailed from New York and Rhode Island, and it is expected that when they hear of the change of Government in New York they will try to conceal themselves in the Jerseys or Pennsylvania, for the Jerseys having no fort to oppose them and being little inhabited about the harbour, they reckon themselves safe there. I am told that some persons have already been preparing for their reception there. They have also entertained a notion that the Jerseys not being immediately under the King, they cannot be seized and punished there, which contributes not a little to their boldness. I was taken by a pirate after about six hours' engagement. Her commander was a German, and the ship of 30 guns with 130 men, English, Dutch, French, etc. The fight took place about 20 degrees south-east of Porto-Rico, and they took us to the west end of Hispaniola, where they unloaded one vessel and built their forts on a small island that lay at the bottom of the bay. They took a sloop, which they sent cruising between Beata Altovalla and Hispaniola, to catch ships bound to windward from Jamaica. They used us extremely hard, beat us, pinched us of victuals, shut us down in the night to take our lodging in the water-cask, detained us till they had careened their ship and fitted her for sailing and then, being designed for the coast of Guinea, gave us our liberty.

I have already formed schemes for the suppression of piracy and cannot doubt that they would be effectual if sufficient powers be granted to me. I need no more than the Crown's approbation for the Government and commission of Vice-Admiralty within the limits of the Jerseys. I know of no Courts at present in the province with powers sufficient to try pirates, it being the declared judgment of the Attorney General that we have no Admiral jurisdiction; and since piracy should be tried not by common law but by Vice-Admiralty, I know of none that have been tried for it in the two provinces, and if they had I fear that they might have demurred to our power. This defect will I hope be supplied by the King's Commissionary Vice-Admirals in every province.

I am very sorry that the Council of Trade insists so positively that security shall be given for the Governors of the Proprietary Colonies, since I find the Proprietors more and more averse to it, thinking it a great hardship. Certain I am that the want of the Crown's approbation will prove of very ill consequence to the Plantations, and, as to my own part, will utterly disable me from giving due protection to the people by punishing the opposers of our peace and quiet. The late Act of Parliament obliges all Governors to be approved by the Crown; but the people having no knowledge of this Act will expect the Governor to produce not only the Proprietors' commission but a certificate of the Crown's approbation of him, before they will own any subjection to him. A Government that

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can not only protect the people but repress injuries and violence is absolutely necessary. The want of it will reduce the Provinces to anarchy; the strongest hand and the longest sword will be the best title to estates; all sorts of ill practices will spring up like weeds, and what will not thirst of gold lead men to attempt, when they are conscious that there is no sufficient power to check them? The late Act relating to the Plantation Trade has, in the judgment of our lawyers, laid aside the present Governor of the Jerseys; the want of approbation will in great measure disable me from acting efficiently, and how miserable must the condition of the Province be! I know that in your opinion I cannot securely act without the King's sanction to my commission, but the terms by which I must secure that sanction are beyond my power to comply with. Had the Crown demanded security for my good behaviour, had it demanded any testimony of my ability to govern and my courage to maintain the honour of Government, had it required evidence of loyalty and sincerity in anything, though never so difficult, that I could personally have complied with, my ready obedience should have shewn my willingness to comply. But I must content myself with a constant endeavour in my station to suppress evil and advance good, according to the utmost of my ability, and if through want of power there should so great an increase of the one or decrease of the other, I hope I shall not be blamed. But I still persuade myself that you will endeavour in some way or another to supply this defect of power either to me or to some more deserving person, either by accommodating the forms of approbation to us so that they may be complied with, without dependence on other persons, or else by making up what is deficient in the Proprietors' commission by one more immediately from the Crown. This would be no matter of difficulty, the power of the Admiralty being lodged in the Crown and our commission necessarily proceeding from thence. [*Board of Trade.* Proprieties, 25. *pp.* 94-102.]

July 26. London. **1,204.** Richard Cary to William Popple. I forward a second memorial from the Agents for the Leeward Islands, which I could not send you sooner, some persons being out of town who could give us information as to the matter therein contained. Pray lay it before the Council of Trade, that it may be transmitted to the Ambassador at the Hague as useful towards the treaty now on foot. *Signed*, Rd. Cary. ¼ *p. Enclosed*,

1,204. 1. Memorial of the Agents for the Leeward Islands to Council of Trade and Plantations. In reply to your enquiry what has happened between the English and French in the Leeward Islands since the Treaty of Breda in 1667, we offer as follows. In the war preceding that Treaty the French made themselves masters of the English half of St. Christophers and some months afterwards took Antigua and Monserrat, ruined and plundered them, carried off the slaves and goods, and left the islands in a sad condition for a time, when they were again brought under the obedience of the King of England. By the Treaty of Breda the French were to restore the English half of St. Christophers and all the

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slaves carried off from all the islands, provided that they were willing to return to their English masters; yet not one of many hundred slaves was returned, to the great loss and prejudice of the islands, many of the plantations lying waste for years afterwards for want of negroes, to the ruin of many good families and great loss of trade and revenue. The English half of St. Christophers was restored in 1671, but left very bare, many of the plantations being destroyed and stripped of everything portable, which the French carried away to their part of the island. They made no satisfaction for the devastations committed, but rather insisted on large sums for improvements made on English plantations before they would restore them, knowing that many of the English would be unable to pay. Thus the French became possessed of a good part of the English half and of many of the best plantations in the island, to the great discouragement of the English. These French took the oath of allegiance to King Charles II. but refused to serve him against the French King on an alarm and appearance of a French squadron on 17 April, 1678. All except two or three laid down their arms, declaring to the Lieutenant-Governor that they could not fight against their prince. The danger of having these men in possession of so much English ground and so many English plantations has been found by sad experience. The French being much the stronger and enriched with the spoil of the English had the advantage and gave laws to them, whom they had impoverished by not restoring their goods and negroes. Commissioners of both nations kept courts on the island for a time to decide small differences between them, but when these courts were discontinued matters were not so evenly carried. Governor Stapleton applied to Count de Blenac for the re-establishment of the court, to which the Count replied that the French King had reserved to himself the power of making judges, which very much lessened the good understanding that ought to have been between the two nations.

In the first settling of St. Christophers the salt-ponds adjoining the French division were enjoyed by both nations in common, and the English had always a path through the French grounds and went thither to gather salt. English vessels also came in to lade it. But after the Treaty of Breda the French not only denied to the English access to the salt-ponds, but seized English vessels that came to take in salt. The English General sent to the French General to demand that the salt-ponds might be open to the English as formerly, but it was denied, and so they were debarred of that ancient right. The French in the Leeward Islands, and particularly those on St. Christophers were very desirous of a treaty of neutrality between the two nations in those parts, and this treaty was afterwards concluded, and provided for peace

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between the Colonies of the two nations in America even though there should be war between them in Europe. But the French alleging that the Treaty between the two Kings did not concern the Prince of Orange and knowing themselves to be much superior in strength, fell upon the English at the first news of the war, plundered and burned all the English plantations, took the fort and turned them all off the Island. As the French were the first movers of the treaty, so they were the first breakers of it, being sensible of their advantage over the English. The French therefore kept St. Christophers for nearly two years, when General Codrington retook it, and sent all the French inhabitants away to other French islands; so that now it remains wholly in the possession of the English, and ought to continue so, considering the French breach of the neutrality, for the security of the rest of the Leeward Islands. Nevis lies within four miles of what was the French part of St. Christophers, and was in much danger and continued alarm while the French were there. Moreover, if the French be restored to St. Christophers, the English part is so destroyed that it will hardly ever be settled again, for fear of another war—especially if the French be restored to the many plantations which they detained from the English after the Treaty of Breda. But if St. Christophers be wholly kept for the English it will be well settled and prove beneficial to the Crown and to the trade of the Kingdom. *Signed*, Bastian Bayer, Joseph Martyn, Rd. Cary. 3 *pp.* [*Board of Trade.* Leeward Islands, 5. *Nos.* 49, 49 I.]

July 26. Whitehall. **1,205.** Council of Trade and Plantations to the Lords Justices of England. With reference to Mr. Vernon's letter of 1 July, as to the transportation of fifty women convicts, we have made enquiries of the Agents of the various Colonies but find no Colony ready to receive them except the Leeward Islands. *The reasons urged against receiving them by the Agents of the other Colonies are here quoted.* We recommend therefore that these women may be sent to the Leeward Islands and that the Governor be directed to dispose of them there. *Signed*, J. Bridgewater, Tankerville, Ph. Meadows, Jo. Locke, Abr. Hill. [*Board of Trade.* Leeward Islands, 45. *pp.* 86-88.]

July 26. **1,206.** Journal of Council of Trade and Plantations. The Attorney-General attended on the business of the Scotch East India Company, and was consulted as to the King's powers to prevent its projected expedition. The queries submitted to him were then put in writing for himself and the Solicitor-General to deliberate on.

Sir Henry Ashurst's memorial on the Duchess of Hamilton's claim read (*No.* 1,202).

Representation as to the women convicts signed (*No.* 1,205). Mr. Richard Cary's letter of this day (*No.* 1,204) with the memorial as to St. Christophers read, which was found to contain nothing that was not already before the Ambassadors at the Hague.

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July 27. Governor Fletcher's letter of 9 November, 1696, was read. A memorial as to his passage home was read (*No.* 1,208); and it was answered that the Council could not dispose of the ships, but was prepared to support the memorial when occasion required it.

The Solicitor General's letter of 13 May as to two private Acts of Jamaica was read (*No.* 1,020). Agreed to recommend confirmation of those Acts. Several of the Jamaica merchants presented a memorial as to the depopulation of that island, to which they added in discourse that any men sent there would be left at liberty to follow such employment as they chose and would be provided for at the island's expense for a month, but that the cost of their passage would be heavy.

Lord Tankerville asked that a clause might be added to Mr. Grey's instructions empowering him to nominate three or more of the Council to hold Courts at any time when the island was sickly. The Agents for Barbados were desired to attend the further consideration of the matter.

July 28. The representation as to two private Acts of Jamaica was signed.

July 29. The Agents for Barbados attended upon the question raised as to Mr. Grey's instructions, and after offering some objections asked for further time to consider it.

Resolved that Tuesdays and Thursdays shall be employed in deliberating upon matters only of the general concernment for the advantage of Trade and Plantations.

Mr. Bridgeman's letter of 28th inst. as to a man-of-war sailing to Newfoundland read (*No.* 1,211).

July 30. Mr. Basse's letter of 26th inst. read (*No.* 1,203). Order was given that the Secretary ask him to give particular instances of entertainment of pirates and names of pirates themselves. Ordered further that enquiry be made what laws are in force in the Colonies for trial of pirates, and to recommend, in any representation on piracy, that the intent of the Statute 28 Henry VIII. Cap. 15, may by proper clauses in a new Act of Parliament be extended to the Colonies. [*Board of Trade.* Journal, 10. *pp.* 170-178.]

[July 27.] **1,207.** Memorial of several Jamaica merchants to Council of Trade and Plantations. We beg to represent to you the declining state of Jamaica. The late earthquake and the sickness that followed it destroyed great numbers of the inhabitants, and by the invasions of the French we lost many more. The irregularity of the men-of-war in the matter of impressment drove away many of those that survived. The dearness of such provisions as used to be brought from New York and New England is caused by the pressing of seamen from the ships that bring them. The apprehensions of many of the inability to suppress a rebellion of negroes or repel an invasion of neighbour enemies have caused them to withdraw to the Northern Colonies, where they hope they may live cheaper and more securely, though of far less advantage to England. By repeated advices from Jamaica we learn that there is not a competent number of men left to defend the island against any considerable attack; and without sufficient succours the most considerable island belonging to the King abroad may be lost to the enemy or left to the mercy of the negroes, to the ruin of the people, the dishonour of the nation

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and the discouragement of the Colonies in general. The bullion, indigo, sugar, cotton, ginger, and logwood yearly imported is of so great moment to England that it bears no manner of proportion to the small charge for which we pray for the support thereof. We beg therefore that at least five hundred men, disciplined or others, be immediately sent to Jamaica, to sail in August or September at farthest, so that they may not, as formerly, arrive there in the sickly season, whereby the island loses alike its relief and its reputation. If they seasonably arrive, prudent provision is already made them for their reception, so that in all probability they may be healthful, live as long as in England and so be a strength to the island. To this end the Governor, Council and Assembly have done their utmost. *Signed*, Bartho. Gracedieu, Gilbert Heathcote, Isaac da Costa *and by thirty four more.* 1 *p. Endorsed*, Recd. Read, 27 July, 1697. [*Board of Trade.* Jamaica, 8. *No.* 66; *and* 56. *pp.* 116-118.]

July 27. **1,208.** Memorial of the New York Agents to Council of Trade and Plantations. Asking for a passage on a man-of-war for Governor Fletcher and his family to return from New York. *Signed*, Chid. Brooke, W. Nicoll, Gilbert Heathcote. ½ *p. Endorsed*, Recd. Read, 27 July, 1697. [*Board of Trade.* New York, 7. *No.* 39; *and* 52. *p.* 186.]

July 27. **1,209.** Minutes of Council and Assembly of Antigua. Message from the Governor to the Assembly proposing the renewal for six months of the Act for building a fort on Monk's Hill. Address of the Assembly, agreeing as to the enfranchisement of a deserving negro at the public charge and as to the payment of £40 for that object; and recommending payment of £100 to Captain Rumbold for his forwardness in attacking French privateers, also that prisoners taken in privateers he henceforth sent home, and also that certain accounts be paid. The Assembly further concurred in the proposal as to Monk's Hill Fort. Message from the Governor, recommending that the offer of the captains of privateers to man H.M.S. Jersey be accepted, and that any of these men who may be wounded may receive an allowance. The Assembly concurred and recommended that the export of provisions, owing to the present scarcity, be prohibited. Orders for payment of the accounts above recommended by the Assembly. Address of the Assembly vindicating the Governor against certain base and scandalous attacks made upon him, and recognising the great service rendered by him alike in defence of the islands and in improving the production of sugar, and in advancing money for the public without soliciting interest nor any donation. Answer of the Governor, thanking the Assembly. Order for Edward Walrond to appear before Council on 10 August. Orders on sundry petitions and for sundry payments. [*Board of Trade.* Leeward Islands, 64. *pp.* 200-206.]

July 27. **1,210.** Minutes of Council of Barbados. Fourteen members of Assembly came and reported that they could not make a house. The Council desired them to keep together until a house was made, since urgent business required it; but they returned to their house and sent word by their clerk that they had adjourned for a week,

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and desired that the white-coats might be subsisted for another month by the Treasury, since no doubt the Assembly would approve this at their next sitting. Order for the soldiers to be subsisted accordingly.

July 28. Ordered that in future the President and any four members of the Council, or in the President's unavoidable absence, five members of Council, shall be a sufficient number to hold Courts of Chancery. [*Board of Trade.* Barbados, 65. *pp.* 230-231.]

July 28. Admiralty Office. **1,211.** William Bridgeman to William Popple. The Admiralty have ordered H.M.S. Dreadnought to be fitted out to convoy some victuallers to Newfoundland. They will start about the middle of next month. Pray inform the Council of Trade. *Signed*, Wm. Bridgeman. ½ *p. Endorsed*, Recd. Read, 29 July, 1697. [*Board of Trade.* Newfoundland, 3. *No.* 84; *and* 25. *p.* 122.]

July 28. Whitehall. **1,212.** Council of Trade and Plantations to the Lords Justices of England. Recommending the confirmation of the Acts of Jamaica concerning the estates of John Childermas and William Truxton. *Signed*, J. Bridgewater, Tankerville, Ph. Meadows, John Pollexfen, Jo. Locke, Abr. Hill. [*Board of Trade.* Jamaica, 56. *pp.* 119-120.]

July 29. Whitehall. **1,213.** Orders of the Lords Justices of England in Council. Confirming two private Acts of Jamaica concerning the estates of William Truxton and John Childermas. *Copies, each* 1 *p. Both endorsed*, Recd. Read 11 Aug. 1697. [*Board of Trade.* Jamaica, 8. *Nos.* 67, 68; *and* 56. *pp.* 121-123.]

July 29. Whitehall. **1,214.** Order of the Lords Justices of England in Council. Approving the report of the Lords of the Committee of Council of 27 May last, and ordering the Council of Trade to direct Lord Bellomont to take care, upon his arrival in New England, that officers of the King's Customs be allowed to appeal to the King in Council and that ships and goods be not discharged after seizure without due process of law. *Signed*, Wm. Bridgeman. 1 *p. Endorsed*, Recd. Read 5 Aug. 1697. [*Board of Trade.* New England, 8. *No.* 118; *and* 36. *pp.* 221-222.]

July 29. Whitehall. **1,215.** Order of the Lords Justices of England in Council. Approving the Council of Trade's report of 21st inst. as to the disorders in New Hampshire, and ordering it to signify the Lords Justices' pleasure according to the tenor of that report. *Signed*, Wm. Bridgeman. ¼ *p. Endorsed*, Recd. 6th, read 10th August, 1697. [*Board of Trade.* New England, 8. *No.* 119; *and* 36. *p.* 239.]

July 29. Whitehall. **1,216.** Order of the Lords Justices of England in Council. That the fifty women convicts, referred to in the Council of Trade's representation of 26th inst., be transported to the Leeward Islands, and that the Commissioners of Transportation give the necessary directions accordingly. *Signed*, Wm. Bridgeman. *Copy.* ½ *p. Endorsed*, Recd. 24 Aug. 1697. [*Board of Trade.* Leeward Islands, 5. *No.* 50; *and* 45. *p.* 97.]

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July 30. **1,217.** Minutes of Council of Massachusetts. Advised that two hundred men be kept as a standing garrison for the castle on Castle Island, that ships be moored and ballasted ready to be sunk in the channel of the harbour on news of the enemy's approach, and that care be taken for the custody of certain French prisoners brought in by a privateer.

July 31. Order for ascertaining and securing such quantities of gunpowder as are in the hands of private persons, and for making eight new gun-carriages so as to bring the number of mounted guns up to sixteen. [*Board of Trade.* New England, 49. *pp.* 106-108.]

Aug. 2. **1,218.** Minutes of Council and Assembly of Nevis. The Assembly sent up proposals that the salary of the late Treasurer, John Perry, be paid for no longer than to 2 November, 1696, that power be given to the Committee which examines his books to strike off bad debts, that a charge made by him for sending prisoners to Guadeloupe be disallowed, having been sanctioned only by the Council, and another charge for victuals supplied to Holt's regiment also disallowed, having been sanctioned by neither Council nor Assembly. The Council deferred its reply hereto. [*Board of Trade.* Leeward Islands, 64. *pp.* 424-425.]

Aug. 2. Boston. **1,219.** H. Newman to John Nelson. My dame and children are well, having all things ready to put on the Main when the French appear, whom we daily expect by the reports of prisoners. Two hundred men are ordered in pay at the Castle and four hundred more to repair there on alarm. Two flyboats are ready to be sunk in the channel, all small craft are hauled into Charles River, and ships of force lie in a line of battle before the town. Five craft are appointed as fire-ships if necessary. Two ships of force are ordered before Noddle's Island to prevent a landing there. Marblehead, Salem and Piscataqua are ready to be reinforced. All the men-of-war are cruising for intelligence and all seems to be well but the want of half-a-dozen men of conduct. What is done is due to the vehement instigation of the merchants. On Wednesday we had a general review of arms in Boston, in which 1,000 appeared as completely equipped as any of the King's soldiers. Justices of peace and deacons were not exempted. Lord Bellomont is hourly expected. *Copy.* 1 *p. Endorsed,* Recd., Read 15 Oct. 1697. [*Board of Trade.* New England, 8. *No.* 120.]

Aug. 2. **1,220.** Journal of Council of Trade and Plantations. Mr. Story brought up the order of the Lords Justices in Council of 29th ult. as to New Hampshire (*No.* 1,215). Orders for letters to be written to Mr. Usher accordingly (*see Nos.* 1,221-1,223) and to Lieutenant-Governor Stoughton.

Order for Lord Bellomont's commission and instructions to be compared with the copies thereof entered in the books.

Aug. 3. The letters to Mr. Usher and Mr. Stoughton signed.

The Duchess of Hamilton's case considered.

Aug. 4. Colonel Gibson's letter of 28 June last read (*No.* 1,115).

Aug. 5. Ralph Lane's petition of 29 April read (*No.* 979). Agreed to insert a clause thereupon in Governor Grey's instructions.

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The order in Council of 29th ult. as to appeals of Custom-House officers read, and ordered to be communicated to Lord Bellomont (*No.* 1,214).

The Secretary laid before the Council Sir Thomas Lawrence's letter to him of 25 March last (*No.* 856) and a list of the papers sent therewith.

Aug. 6. Governor Nicholson's letter of 13 March read (*No.* 798). Agreed that the innovation of creating Solicitors-General in the Colonies is inadvisable. [*Board of Trade.* Journal, 10. *pp.* 178-187.]

Aug. 3. Whitehall. **1,221**. Council of Trade and Plantations to Lieutenant-Governor Usher. We have received several letters from you, including those of 16 and 18 February last. On one representation the Lords Justices have declared by Order in Council that until Mr. Partridge qualify himself, or Lord Bellomont arrive, or their Excellencies give further order, you retain the authority given you by your commission and may require all persons to yield you obedience. *Signed*, Ph. Meadows, Jno. Pollexfen, John Locke, Abr. Hill. [*Board of Trade.* New England, 36. *pp.* 217-218.]

Aug. 3. Whitehall. **1,222**. Council of Trade and Plantations to Lieutenant-Governor Usher. Lord Bellomont's speedy intended departure makes it unnecessary to answer your letter in detail. Mr. Story, who bears this, has been a careful and diligent solicitor in your business. The Acts and Journals transmitted by you are so ill-written and ill-digested that they are neither legible or intelligible, which has hindered us and still hinders us from entering into detail. This neglect should not have been permitted. *Signed*, Ph. Meadows, Jno. Pollexfen, John Locke, Abr. Hill. [*Board of Trade.* New England, 36. *pp.* 219-220.]

Aug. 3. Whitehall. **1,223**. Council of Trade and Plantations to Lieutenant-Governor Stoughton. The departure of Lord Bellomont is so near that it is needless to write to you in detail upon affairs in Massachusetts, but the disorders in New Hampshire require speedy remedy. We have written to Mr. Usher that, for the present (*see No.* 1,221) he retains his authority, and we apprise you thereof that by your credit and countenance to him you may further the Lords Justices' intentions. *Signed*, Ph. Meadows, Jno. Pollexfen, John Locke, Abr. Hill. [*Board of Trade.* New England, 36. *pp.* 220-221.]

Aug. 3. **1,224**. Minutes of Council of Barbados. Petitions of several masters of ships read; ordered that they sail on the 5th. Excise bill, as amended, sent down to the Assembly. The Assembly presented a memorial, without signature, setting forth their reasons for making the Agents wholly dependent on the Assembly, and requested the Council to rescind an old paper (which they called a bill) as to judges choosing their own clerks. The Council answered that they knew of no such Act. The Assembly then pressed the finishing of the Militia Bill, to which the Council answered that it was in Committee.

Aug. 4. The master of the sloop that cruised to Martinique appeared, and reported that he had seen few ships there or at Guadeloupe. The Assembly brought up the bill for freedom of elections and the bill for

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Excise, saying that they had agreed to most of the amendments to the latter. The President answered that after reading the memorial presented yesterday the Council saw no reason for altering its first resolutions, and desired them to take some speedy care for the more effectual quartering of the King's soldiers. The Assembly then went down and about sunset brought up a bill for furnishing seamen, with amendments, a bill for *Habeas Corpus*, and an address for their Clerk's and Marshal's salaries. The President answered that he could not make a Council, but would summon one to meet early to-morrow morning.

Aug. 5. Bill for freedom of elections, as amended by the Council, was returned by the Assembly read and passed. On the Excise bill the President desired a conference, on which the Assembly came, bringing with them the bill for new entrenchments, amended. At the conference on the Excise and Agents bills the Council proposed a compromise, but the Assembly refused to accept it. The bill of Excise was then returned to the Assembly with amendments, which the Assembly after debate declined to accept, the question of salary to the Agents arising out of this bill. [*Board of Trade.* Barbados, 65. *pp.* 231-236.]

Aug. 4. Whitehall. **1,225.** William Popple to Jeremiah Basse. Yours of 26th ult. has been laid before the Council of Trade. The Council again desires of you to state the most particular instances of matters of fact that you can give in the general things that you hint at, viz. as to the entertainment of pirates in Rhode Island, New York, Carolina and Providence. What are the names of the pirates and by whom have they been entertained? Who are the pirates that sailed from the Colonies enumerated by you? Who are concerned with them and what are their designs? Who was the pirate of whom you were informed by the mate of the Nassau? What is the mate's name and how may he be spoke withal? The Council aims at solid and particular information. [*Board of Trade.* Proprieties, 25. *p.* 103.]

Aug. 5. **1,226.** Minutes of Council of Massachusetts. Advised that the General Court be further prorogued to 8 September, by which time the Governor may be expected to have arrived. [*Board of Trade.* New England, 49. *p.* 118.]

Aug. 7. **1,227.** James Vernon to Council of Trade and Plantations. The King has appointed Samuel Day to be Governor and Commander-in-Chief of Bermuda. You will give orders for the preparation of his commission and instructions. *Signed*, Ja. Vernon. ¼ *p.* *Endorsed*, Recd. 9th, Read 10th Aug., 1697. [*Board of Trade.* Bermuda, 3. *No.* 15; *and* 29. *p.* 39.]

Aug. 7. Whitehall. **1,228.** James Vernon to Council of Trade and Plantations. The enclosed petition of Mr. Fullerton has been presented to the Lords Justices in the name of Colonel Russell's executors. Their Excellencies desire your report thereon. *Signed*, Ja. Vernon. ½ *p.* *Endorsed*, Recd. Read, 10 Aug., 1697. *Enclosed*,

1,228. 1. Petition of Thomas Fullerton, Attorney to the executors of the late Governor Russell, to the Lords Justices of England. A short time before Governor

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Russell's death a present of £300 was made to him by Act of the legislature of Barbados. There was no time before his death to obtain the King's leave to accept it, but since such leave has never been refused and the said Governor did his duty with zeal and fidelity, I beg for your order that this present of £300 may be paid to his executors. 1 *p. Endorsed*, Recd. Read, 10 Aug., 1697. [*Board of Trade.* Barbados, 7. *Nos.* 37, 37 I.; *and* 44. *pp.* 79-81.]

Aug. 9. **1,229.** Minutes of Council of Massachusetts. Orders for payment of £21 to Secretary Addington, of £6 to the attendant who accompanied the Commissioners to Connecticut and Rhode Island, of £122 to the Commissioners of War for sundry charges, and of £19 15*s.* to Bartholemew Green for printing the Acts of Assembly and other public orders. [*Board of Trade.* New England, 49. *pp.* 109-110.]

Aug. 9. **1,230.** Proclamation proroguing the General Court of Massachusetts to 8 September. 1 *p.* [*Board of Trade.* New England, 48. *p.* 170.]

Aug. 9. Whitehall. **1,231.** James Vernon to Council of Trade. Transmitting by order of the Lords Justices, a memorial of Captain James Norton, for report thereon. *Signed*, Ja. Vernon. ¼ *p. Endorsed*, Recd. Read, 10 Aug., 1697. *Enclosed*,

1,231. I. Memorial of Captain James Norton to the Lords Justices of England. I have been a soldier from my youth, and have risen from Volunteer to Captain in eighteen years' service in England, Tangier, Flanders and the West Indies. At the revolution I entered the King's service with the first of the guards, and served in Flanders under the Duke of Ormond until November, 1692, when I received a company in Godfrey Lloyd's (now Henry Holt's) regiment. I went to the West Indies with Colonel Lloyd and served against the French in those parts. I was over three years in the Leeward Islands and was appointed by Governor Codrington to take his post at St. Christophers. In the absence of Lieutenant-Colonel Thomas Hill I acted always as deputy-governor there. On 1 May, 1695, Holt's regiment was reduced from thirteen companies of sixty men to five companies of one hundred men, and I, as one of the reformed officers, was directed to be subsisted with the regiment and to await my turn for preferment to a vacancy; but since November, 1692, I have only received £5 15*s.* 6*d.* of all the subsistence and pay due to me, have spent all my little fortune and have run into debt to support myself, wife, and family. I lately came home on furlough for recovery of my health and am shortly returning to my post in the Leeward Islands. I am the oldest reformed Captain unprovided for in the regiment, and, according to the King's directions, should have the

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next vacancy. By the recent death of Lieutenant-Colonel Thomas Hill the deputy-governorship of St. Christophers and the command of the independent company there are vacant, the company being the only support appointed to the Lieutenant-Governor of that Island. I am now well seasoned to the climate, I am familiar with the customs and inhabitants and I am in good esteem with Governor Codrington. I beg to be appointed Lieutenant-Governor of St. Christophers with command of the independent company there. 1 *p.* [*Board of Trade.* Leeward Islands, 5. *Nos.* 51, 51 I.; *and* 45. *pp.* 88-92.]

Aug. 9. **1,232.** Journal of Council of Trade and Plantations. The answer of the law-officers to the queries as to the Scotch East India Company was read.

Draft representation upon the Duchess of Hamilton's claim approved.

Aug. 10. Order for the Barbados Agents to be reminded to give their answer as to Mr. Grey's instructions. Mr. Vernon's letter of 7th inst., with a petition from Governor Russell's executors, read (*No.* 1,228). Order for the Act of Barbados in question to be looked out.

Mr. Vernon's letter of 7th inst., ordering Mr. Day's commission and instructions to be prepared, was read, and directions were given accordingly.

Three representations signed, including that on the Duchess of Hamilton's claim.

The Orders of Council of 22nd July as to the salary of the Lieutenant-Governor of New York, and of 29 July as to New Hampshire, were received.

Mr. Vernon's letter of 9th inst. with Captain Norton's memorial was read (*No.* 1,231), and Captain Norton called in. He then gave the names of gentlemen who knew him, and said that his own advancement from private soldier in the Duke of Ormond's troop to captain was upon the battle of Steenkirk. Mr. Hutcheson, attending, confirmed what he had said, adding that the people of Christophers had subscribed £300 to enable him to subsist, of which Governor Codrington had given half; and that the only profit of the place of Deputy-Governor of St. Christophers was the command of a company. The Agents of the Leeward Islands and Captain Norton were summoned to attend again to-morrow.

Aug. 11. The Act for a present to the late Governor Russell being in the law-officers' hands, order was given that any that come to enquire upon that matter be so informed.

Two addresses from Maryland as to Governor Copley's estate and concerning the quota were laid before the Council, and consideration thereof deferred. Order for the law-officers to be directed to hasten the despatch of the Acts of Maryland.

The Agents of the Leeward Islands and others attended upon Captain Norton's business. Several gentlemen bore witness to his merit, and upon a difficulty raised as to his command of a company he declared himself ready to accept any company that the Governor might think fit. Order for a representation to be be prepared accordingly.

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Two Orders in Council of 29th ult. confirming private Acts of Jamaica read.

Aug. 12. Mr. Richard Cary attended, and said that the Agents for the Leeward Islands were satisfied as to Captain Norton's fitness for the post which he desires; whereupon a representation in his favour was signed.

Order for a representation to be drawn recommending that a clause as to passing temporary laws be inserted in the instructions to all Governors in future.

On the Duchess of Hamilton's case, it was ordered that no copy of the representation thereupon be given out, until the Lords Justices shall have declared their opinion concerning it.

Aug. 13. A report of the Governor and Council of Jamaica on the case of Usher Tyrrell was read, and a copy ordered to be sent to Mr. James Tyrrell.

On notice given by Lord Bellomont of his speedy departure, heads of a letter to him as to Rhode Island, Connecticut and the Narragansett Country were agreed on.

Lord Bridgewater presented Sir Thomas Laurence's letter to him of 25 March last (*No.* 857). The heads of a reply to Governor Nicholson's letter of 27 March were considered. [*Board of Trade.* Journal, 10. *pp.* 187-198.]

Aug. 10. **1,233.** Petition of Merchants of Virginia and Maryland to the King. Praying him to give directions which may prevail with the Czar of Muscovy to remove the prohibition to import tobacco into his dominions. *Signed,* Micaiah Perry, *and by fifty-two others. Large sheet, endorsed,* Recd. from Mr. Perry, etc., 10 Aug., 1697. [*Board of Trade.* Virginia, 6. *No.* 25.]

Aug. 10. Whitehall. **1,234.** Council of Trade and Plantations to the Lords Justices of England. We have communicated the Duchess of Hamilton's petition as to her claim to the Narragansett Country to the Agents of Massachusetts and Connecticut and one of the principal proprietors of Rhode Island. All agree that the titles and deeds of the persons in possession are in New England, and ask for time for them to give an answer; but at the instance of the Earl of Arran we have drawn up the following report of the case. On 3 November, 1620, King James I. incorporated the then Duke of Lennox, Marquis of Hamilton and others by the name of the Council established at Plymouth in Devon for the governing of New England, and granted them the territory lying between the 40th and 48th degrees of latitude in America. There are few records of the proceedings of this Council, which on 3 February, 1634, surrendered its charter to King Charles I. and took out new grants by him. On 18 April, 1635, they made leases of 3,000 years to several persons in trust, and on the 22nd gave deeds of feoffment to several of their members for their respective shares. On this same 22 April, 1635, the Council of Plymouth executed such a deed of feoffment to James, Marquis of Hamilton, for his portion among others, and in this deed his portion is called the County of New Cambridge, a name which has since disappeared. On 25 April, 1635, the Council of Plymouth declared its intention to surrender the charter, which was duly done

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on 7 June, while on 1 May they had petitioned the King for confirmation of the particular grants of land aforesaid. In July, 1637, in consequence of disorders in New England, King Charles I. (who had resolved to take the Government to himself) appointed Sir Ferdinando Gorges to be Governor and forbade all persons to transport themselves to New England without licence, reserving only a liberty of that kind to those who had joined in the surrender of the old charter and had taken out new grants for their plantations directly from the King, though no such grant had as yet been taken out. On 3 April, 1639, King Charles I. confirmed to Sir Ferdinando Gorges the land formerly allotted to him by the Council of Plymouth, which is still called the County of Maine, and this is the only patent which was granted by King Charles I. to any member of the said Council in consequence of the surrender aforesaid. From that time till 1661 there are scarce any records of proceedings in respect of the forementioned grants, though some afterwards complained that Massachusetts had encroached on their rights. On 31 May, 1661, Henry, Earl of Stirling, in a petition to King Charles II. claimed the propriety of Long Island, as having been granted to his grandfather and improved by himself, father and grandfather, and prayed for confirmation of the said grant; but we do not find that he received it—on the contrary, in the instructions of the Commissioners sent to New England in 1664, Long Island is mentioned as vested in the Duke of York. On 6 May, 1664, the late Duke and Duchess of Hamilton set forth their grant of the land (now claimed by the Duchess) from the Council of Plymouth, adding that during the Civil War several persons had encroached on the land, and asking that the Commissioners might see to the restoration of their rights. The question was therefore referred to the same Commissioners for their report, who in a report of 20 March, 1664-5, set forth that they had taken over the land from the Sachems of the Narragansett Indians (who had shewed them a deed to the same effect of 19 April, 1664) into the King's immediate Government and protection, and had named it the King's Province. At the same time the Commissioners in another paper said that the said Colony had nothing to say against the Duke of Hamilton's patent, but that their writings were burnt, that they had bought their land of Lord Say and others, that the King had confirmed it to them, and that they knew nothing of the late Marquis of Hamilton's grant, who had never sent any to take possession or to inhabit upon it. In a further paper, apparently also from those same Commissioners, it is only expressed that the Marquis of Hamilton's patent takes in all Rhode Island and about half of Connecticut, but derives the original title to the Narragansett Country from the submission and surrender of the Indians aforesaid. They say further, in a particular report on the Duke's petition, that they could not find that the Marquis of Hamilton had sent any person to take possession of any part of his patent nor that anyone there had any knowledge of the grant, but that the land had been parcelled out to Massachusetts, Rhode Island and Connecticut.

In 1671 and 1672 Mr. Ferdinando Gorges and Mr. Robert Mason presented several petitions and had several hearings as to their titles to tracts of land in America, and in 1675 they produced the

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opinions of the Attorney and Solicitor-General that the title of Mason to New Hampshire and of Gorges to Maine were good and legal. In December, 1675, they petitioned again, but the disputes between them and Massachusetts on the subject were long undecided until the Committee of Trade and Plantations on 5 April, 1677, referred it to the Lords Chief Justices. On 17 July, 1677, the Chief Justices in their report said that they could not decide the title to lands without hearing the case of the terre-tenants and therefore recommended that this should be referred to the Courts of Justice on the spot; but they decided that Gorges had a right of government in the province of Maine in virtue of King Charles I.'s patent of 3 April, 1639. A dispute between Rhode Island and Connecticut as to the propriety and Government of the Narragansett Country was referred on 26 March, 1680, to the Attorney and Solicitor-General, who in their report recommended that the said country should remain as settled by the King's commission till the parties should be heard and the matter better explained. The differences still remained undecided, in spite of frequent applications from the parties concerned, until in 1682 a commission consisting of Edward Cranfield and others was appointed to enquire as to the various claims and to report. These Commissioners reported that the Government of the Narragansett Country belonged to Connecticut under letters patent of 23 April, 1662, and that the property of the soil belonged to Mr. Richard Wharton and others, heir and assigns of certain persons who derived their title from grants from and transactions with the Indian Sachems, dated 11 June and 4 July, 1659, and 13 October and 16 November, 1660. But after finishing this report they received from Mr. Randolph the claim of the Duke of Hamilton and sent copies of the deeds to the Colony of Connecticut, who returned an answer thereto, to which again a reply was returned in the name of the Duchess of Hamilton. Copies of these two last documents have been given to us by the Earl of Arran. On 23 December, 1684, the Committee of Trade recommended an instruction to Colonel Kirke, the intended Governor of Massachusetts, to confirm all titles of land quietly possessed, reserving a quit-rent of 2*s.* 6*d.* for every hundred acres, questions of disputed title being left to the Governor in Council. On 24 March, 1684-5, Thomas, Lord Culpeper, Richard Wharton and others set forth by petition their right to the soil of the Narragansett Country and, submitting to the quit-rent aforesaid, prayed for a confirmation of their right. On 3 April, 1685, the Earl of Arran also set forth the title of the Duke and Duchess of Hamilton, and prayed that it might be acknowledged. Both petitions were referred to the Attorney and Solicitor-General, but we can find no answer from them on the subject. Sir Edmund Andros (who was sent to Massachusetts instead of Colonel Kirke) received instructions to enquire as to the King's right to the soil of the Narragansett Country and the claims of others thereto. He reported in favour of the King's right, but said nothing of the Duchess of Hamilton's, adding that several of the pretended proprietors were sensible of the defects of their titles and had prayed for new grants, some of which he had granted, and that if the King would determine the said pretences the whole country might be patented and settled, with

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an income of quit-rents for the King. On 10 April, 1688, the Committee of Trade and Plantations examined another petition of Lord Culpeper and other proprietors of the Narragansett Country and at the same time Sir Edmund Andros's report, and recommended that Sir Edmund be instructed to make out grants to the said Lord Culpeper and others in equal parts of the unappropriated lands, for a quit-rent of 2*s.* 6*d. per* 100 acres, and reserving the rights of the King and his subjects. Upon the which matter we think, on the Duchess of Hamilton's petition, that the former decision of the two Chief Justices is the best, namely that the parties concerned have recourse to the Courts of Justice on the spot. The case is of the greatest importance, for the revival of all the dormant titles under the grants of the Council of Plymouth would lead to unspeakable disturbance and confusion. *Signed*, J. Bridgewater, Tankerville, Jno. Pollexfen, John Locke, Abr. Hill. [*Board of Trade.* New England, 36. *pp.* 221-238.]

Aug. 10. Whitehall. **1,235.** William Popple to Mr. Bulfinch. Asking for a copy of the Act passed twenty-five years since in Massachusetts, to which reference is made in the memorial of the subscribers for working copper-mines, etc., of 5 July. [*Board of Trade.* New England, 36. *p.* 239.]

Aug. 10. **1,236.** Minutes of Council and Assembly of Antigua. The Assembly sent up the Act for the Fort on Monk's Hill, also an address asking for the payment of an account due for the public service and for a platform to be built for protection of Parham harbour. Answer from the Council, sending down an Act for billeting soldiers, duly passed, and naming two members to assist in choosing a site for the platform at Parham. Several orders on petitions for grants of land. [*Board of Trade.* Leeward Islands, 64. *pp.* 207-208.]

Aug. 11. **1,237.** Minutes of Council of Virginia. The Governor reported the arrival of Vice-Admiral Nevill in James River with a considerable squadron, who had sent orders to all the inhabitants to bring fresh provisions and sloops and shallops for watering. Resolved to impress what craft are adjacent for the latter service. Letters from Captain George Mason, Commander-in-Chief of the Militia of Stafford County, were read, reporting the scalping and maiming of the wife and three children of William Wiggington by some Indians. Four of the Council, with the Speaker of the House of Burgesses and nine others, were appointed a Commission to enquire into the matter. Auditor Byrd reported the shooting of a man by Indians in Appomattox, but that the said Indians had disappeared at the first shot fired at them, and that all was now quiet, whereupon the Council thought it unnecessary to give any orders.

Aug. 12. The question of the proceedings of the Council and Burgesses of Maryland were again considered, when the Council resolved that they did not yet understand the matter, since the two Houses had carried on the negotiations without the authority of the Governor. The Council of Virginia therefore prayed Sir Edmund Andros to request the Governor of Maryland to acquaint him first, before any

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negotiations are carried on with Indians within the Government of Virginia, and to order the militia and rangers of Stafford County to prevent any agents from Maryland treating with the said Indians without due notice and permission. Resolved that all encouragement be given to Peter Heyman, appointed by the Commissioners of Customs to be Collector of Lower James River district. [*Board of Trade.* Virginia, 53. *pp.* 85-87; *and* 93-95.]

Aug. 12. **1,238.** Minutes of Council of Massachusetts. Order for an embargo on all shipping until 23 August, and for the vessels taken up for security of the harbour to be discharged. [*Board of Trade.* New England, 49. *pp.* 110-111.]

Aug. 12. **1,239.** Minutes of Council of Montserrat. Richard Molineux sworn of the Council. Patent for land granted to William Finch. The two Acts ordered on 14 June (*No.* 1,081) were read and assented to. Order for payment of 8,000*lbs.* of sugar to the eight men of the standing guards at Soldiers Gut and Bancombe Bay. Order for a negro convicted of stealing to be well whipped and to have his ears cut off. [*Board of Trade.* Leeward Islands, 64. *p.* 525.]

Aug. 12. Whitehall. **1,240.** Council of Trade and Plantations to the Lords Justices of England. With reference to Mr. Vernon's letter of 9th inst. (*No.* 1,231) we here made enquiry of several captains in the Earl of Oxford's regiment who knew Captain Norton in Flanders, and of some merchants and others who have either known or corresponded with him in the West Indies, and have received from all of them a very favourable character of him as an active, vigilant and careful officer, and a fair and honest man, well esteemed in the Leeward Islands. We find therefore nothing to object to his qualifications for the appointments for which he asks. The Agents for the Leeward Islands having suggested that the independent company might be more properly conferred on Governor Codrington, to whom it formerly belonged, Captain Norton has declared his free consent that Governor Codrington may either take this company and give him that which he now has, or keep his present company and give Captain Norton the other. *Signed,* J. Bridgewater, Tankerville, Ph. Meadows, John Pollexfen, Jo. Locke, Abr. Hill. [*Board of Trade.* Leeward Islands, 45. *pp.* 93-95.]

Aug. 12. Whitehall. **1,241.** Order of the Lords Justices of England in Council. That commissions be prepared for Captain James Norton as Lieutenant-Governor of St. Christophers and captain of the company vacant by the death of Lieutenant-Colonel Hill. *Copy.* ½ *p. Endorsed,* Recd. Read 16 Aug., 1697. [*Board of Trade.* Leeward Islands, 5. *No.* 52; *and* 45. *pp.* 95-96.]

Aug. 12. **1,242.** Commission of Captain James Norton to be Lieutenant-Governor of St. Christophers. [*Board of Trade.* Leeward Islands, 45. *p.* 149.]

Aug. 12. **1,243.** Memorandum of the receipt of the foregoing commission to Captain Norton. Recd. Read, 10 Jan., 1697-8. ½ *p.* [*Board of Trade.* Leeward Islands, 5. *No.* 53.]

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Aug. 12. **1,244.** William Popple to the Attorney and Solicitor General. Forwarding the laws passed by the Assembly of Maryland in 1696, for their opinion, and requesting dispatch of the business. [*Board of Trade.* Maryland, 9. *p.* 72.]

[Aug. 12.] **1,245.** List of the Laws of Maryland passed in 1696. 2 *pp.* [*Board of Trade.* Maryland, 3. *No.* 28; *and* 9. *pp.* 72-73.]

Aug. 12. **1,246.** The Attorney General to the Council of Trade. I have considered the several temporary laws continued by an Act of Maryland and find nothing to object to in any of them except such as were mentioned in my previous report. Though several other laws passed in Maryland since 1692 were sent to me at the same time I have not considered them, conceiving that you desired an opinion only on such temporary laws as were not before me when I made my last report. *Signed,* Tho. Trevor. 1 *p. Endorsed,* Recd. Read, 24 Sept., 1697. [*Board of Trade.* Maryland, 3. *No.* 29; *and* 9. *p.* 111.]

Aug. 13. Whitehall. **1,247.** William Popple to John Sansom, Secretary of Customs. Asking if any ships have been sent to Maryland and Virginia, pursuant to the recommendations of the Commissioners of Customs, to suppress pirates and illegal traders. [*Board of Trade.* Maryland, 9. *p.* 88.]

Aug. 13. **1,248.** Minutes of Council of Jamaica. A special summons for a Council to be held on 17th inst. was ordered, to hear William Brodrick's complaint against Captain John Moses. Order for payment of rent for store-houses and of the store-keeper's wages. [*Board of Trade.* Jamaica, 79. *p.* 17.]

[Aug. 13.] **1,249.** Report of the Governor and Council of Jamaica on the petition of Usher Tyrrell. We believe that petitioner was settled at St. Christophers and was driven thence by the French, but we cannot say what he lost thereby. We believe also that he served in the recapture of the island and from thence came down to Jamaica; but as to the rest of his allegations, the facts are as follows. Some time after his arrival in Jamaica an estate was escheated by due course of law, the value being returned by the jury at £515. Under the law of Jamaica it is lawful for the Governor to pass a grant of such escheated estates, provided a clause be inserted to save the rights of any rightful heir, should one appear, and secure that the price shall be paid to the Treasury within three years, after which time (if no heir establish his claim) an absolute grant of the estate is made, the money paid being kept to meet the claims of any heir in future. Such a conditional grant was made to Usher Tyrrell, and the three years being expired, the bond is become due; and this money by another Act is, if no rightful claimant appear, forfeited to the King and appropriated to the support of the Government. Hence we conceive that the sum of £515 mentioned in the petition cannot be applied nor diverted but as the Act directs. Mr. Tyrrell, removing his habitation from the said escheated estate to some of the remote settlements in the island, had the misfortune to lose a number of negroes, taken by the French. He then petitioned us to be discharged from his obligations, but was answered that the

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money being by law applied could not be diverted otherwise, but that in consideration of his loss the Receiver-General should have orders not to demand the money till he were in a better condition to pay it. *Signed*, Tho. Nicholls, Cl. Concil. 19 August, 1696. 3 *pp. Endorsed*, Recd. 24 Nov., 1696. Read, 13 Aug., 1697. [*Board of Trade.* Jamaica, 8. *No.* 69; *and* 56. *pp.* 124-128.]

Aug. 13. Whitehall. **1,250.** William Popple to James Tyrrell. Forwarding the report of the Governor and Council of Jamaica upon his brother's case (*see preceding abstract*). [*Board of Trade.* Jamaica, 56. *p.* 129.]

Aug. 16. Custom House. **1,251.** Secretary of Customs to William Popple. In reply to yours of 13th, the Commissioners of Customs in 1682 prepared instructions for the commanders of the King's ships to assist the Governors and officers in the Plantations to enforce the Acts of Trade. Recently an Order in Council of 8 August, 1694, was obtained, directing the Governor of Maryland to hire one or two small vessels to cruise for prevention of illegal trade, and giving him authority to expend one third of forfeitures and penalties recovered under the Acts of Trade in this service and in the encouragement of it. In November last the Commissioners further moved the Treasury to send a ship of some forty tons burden from hence with orders to obey Governor Nicholson's orders for enforcement of the Acts of Trade. *Signed*, Jno. Sansom. 1¼ *pp. Endorsed*, Recd. Read 16 Aug., 1697. [*Board of Trade.* Maryland, 3. *No.* 30; *and* 9. *pp.* 88-90.]

Aug. 16. **1,252.** Memorandum of the preceding letter from Mr. Sansom to William Popple. ½ *p.* [*Board of Trade.* Virginia, 6. *No.* 26.]

Aug. 16. **1,253.** Journal of Council of Trade and Plantations. Mr. Sansom's letter of this day as to a cruiser for Maryland read (*No.* 1,251). Order for enquiry to be made of Edward Randolph in connection therewith (*No.* 1,256). Governor Nicholson's letter of 27 March was further considered, and further orders issued as to the answer thereto. Order for Dr. Blair to attend on Wednesday next.

The Order in Council of 12th inst. as to Captain Norton was received and read (*No.* 1,241).

Aug. 18. The Secretary reported a message from Mr. Sansom to the effect that a man-of-war had been appointed to cruise on the coast of Maryland. Order for a letter to the Secretary of the Admiralty to enquire when any men-of-war are sailing thither. Dr. Blair attended, and in answer to questions said that he had never been in Maryland, though he had lived for some years in Virginia, but gave an account of both as well as he could. He said that tobacco-stripping began in Virginia towards the end of September and continued, being hindered by frosts, until the end of March. In Maryland everything was about three weeks later than in Virginia, and the tobacco grown in the two Colonies is different, for in Maryland the stalk is allowed to grow high and carry up to twenty-leaves, whereas in Virginia it is cut, and not above five or six leaves left on it. Hence Virginia tobacco has a thicker leaf, and can be pressed more tightly, making therefore heavier hogsheads.

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The ships used for Virginia are consequently larger. Moreover much of the tobacco-land in Maryland is in the woods, whereas that of Virginia is by the water-side; hence, apart from the month's difference in the season, the Maryland crop is never ready as soon as the Virginian, so that it is hard for the Virginian convoy to wait for the Maryland convoy. He then gave an account of the manner of granting lands. The Council agreed as to their reply to the address from Maryland concerning Governor Copley's estate, but deferred that to the address concerning the quota. Mr. Randolph gave information as to navigation bonds in Maryland.

Draft letters to Lord Bellomont and to the Governments of Rhode Island and Connecticut approved, also a draft representation as to temporary laws in the Colonies.

Aug. 19. Order for a copy of the Order in Council of 13 November, 1685, as to the boundaries of Pennsylvania, to be sent to Governor Nicholson, with orders to see it executed. Order for the letters for Virginia and Maryland to be ready to be sent by the men-of-war appointed thither. Draft form of the land-grant used in Virginia received and read.

Mr. Bridges's letter of 18th inst. read (*No.* 1,259). Order that Lord Tankerville be informed that the Council is ready to report on Mr. Grey's instructions as soon as he will give his assistance therein.

Aug. 20. Draft letter to Colonel Gibson approved.

Several papers lately received from Virginia read. [*Board of Trade.* Journal, 10. *pp.* 199-210.]

Aug. 17. **1,254.** Minutes of Council of Barbados. H.M. Ship Bonaventure arrived with a letter from the Admiralty that she was appointed for the service of Barbados. The President submitted for the Council's consideration whether she might not convoy the fleet out; and, the Captain appearing and saying that he was ready for a cruise of twenty or thirty days, he was ordered to sail on the 19th and convoy the fleet to the latitude of Deseada. Bill for furnishing seamen read, and a conference desired. Bill for new entrenchments read and, with one small amendment, agreed to. [*Board of Trade.* Barbados, 65. *p.* 239.]

Aug. 17. **1,255.** Minutes of Council of Jamaica. Accounts for a fireship to accompany Admiral Nevill's fleet passed. Orders for sundry payments. On a complaint against the chief officer of the Company of the King's soldiers of stopping two pence a day from their pay, it was ordered that the Commissary deduct the said stoppage from that officer's pay until it be paid off, and that in future he pay both soldiers and officers according to the establishment. William Brodrick's complaint against Captain Moses having been adjusted, the Council agreed to take no further notice thereof. [*Board of Trade.* Jamaica, 79. *p.* 18.]

Aug. 17. Whitehall. **1,256.** William Popple to Edward Randolph. Asking what has been done, or what he judges likely to be done, on the question of sending ships to Maryland and Virginia to suppress pirates and illegal traders. [*Board of Trade.* Maryland, 9. *p.* 91.]

Aug. 18. Admiralty. **1,257.** Secretary of the Admiralty to William Popple. Your letter of this day has been laid before my Lords. H.M.S. Swift,

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advice-boat, at Spithead, is going to Maryland to attend there and will proceed in company of the Deptford and Fowey, which are going to New England and New York. The Essex, prize, is ordered to be forthwith fitted to go to Virginia and attend there. *Signed*, Wm. Bridgeman. ½ *p. Endorsed*, Recd. Read, 19 Aug., 1697. [*Board of Trade.* Maryland, 3. *No.* 31; *and* 9. *p.* 92.]

Aug. 18. **1,258.** Memorandum of the receipt of the preceding letter. ¼ *p.* [*Board of Trade.* Virginia, 6. *No.* 27.]

Aug. 18. **1,259.** William Bridges, Agent for Barbados, to Council of Trade and Plantations. Mr. Littleton and myself have enquired into the practice in relation to holding the Courts of Chancery, Error and General Sessions, and have considered the effect of inserting a clause in the Governor's instructions empowering three or more of the Council to hold the said courts at any time when the island is unhealthy. It has always been the practice for the Governor and Council to hold the Court of Errors, and for the Governor, or such as he empowers, to hold the General Sessions. If you think fit that the Court of Errors shall be held during the Governor's absence, we think that it would be most for the King's service and for the satisfaction of the people that the said Court be held by the Council or by any five of them, which is the quorum according to the Governor's commission. I would submit to you further whether the insertion of a clause in the Governor's instructions for altering the usage in holding courts, would be of sufficient authority to do so unless they pass under the Great Seal, or unless such alterations be authorised by law of the Island. *Signed*, Wm. Bridges. 1 *p. Endorsed*, Recd. 18th, Read, 19th Aug., 1697. [*Board of Trade.* Barbados, 7. *No.* 38; *and* 44. *pp.* 81-83.]

[Aug. 19.] **1,260.** Copy of a draft form for grants of land in Virginia of date 28 September, 1681. 1 *p. Endorsed*, Recd. from Mr. Perry 18th Aug., Read 19 Aug., 1697. [*Board of Trade.* Virginia, 6. *No.* 28; *and* 37. *pp.* 38-39.]

[Aug. 19.] **1,261.** Memorandum of the receipt of the preceding paper. [*Board of Trade.* Maryland, 3. *No.* 32.]

Aug. 23. **1,262.** Journal of Council of Trade and Plantations. A letter from the President and Council of Barbados of 17 June, with the laws and journals, were received; but the Council after sending the laws to the Attorney and Solicitor General deferred the rest.

The reading of the Virginia papers was continued. Order for Colonel Henry Hartwell and Dr. Blair to attend on Wednesday next.

Order for notice to be given to Mr. Penn as to the orders given to Governor Nicholson concerning the boundary of Maryland and Pennsylvania.

Aug. 24. Draft letter to the Governor of Maryland considered. Order for copy of the address for remission of forfeitures on bonds in that Colony, with the Governor's remarks thereon, to be sent to the Commissioners of Customs. Mr. Penn's letter accepting the order as to his boundaries read (*No.* 1,266).

Colonel Hartwell's letter excusing himself from attendance read.

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Aug. 25. Order for further documents concerning the remission of forfeitures in Maryland to be sent to the Commissioners of Customs.

Dr. Blair, attending, said that the price of tobacco varied last year from 10*s.* to 20*s. per cwt.*, but public tobacco, used for quit-rents and tithe, is not esteemed equal to the rest. He then gave further information as to quit-rents, revenue, the duty of two shillings per hogshead, the one penny *per lb.* export-duty on tobacco exported to other Colonies, which was established in Cromwell's time, and has since been continued by Act of Parliament, and several other matters. Jamestown, he said, had but twenty or thirty houses, and Elizabeth town thirty or forty.

Aug. 26. Letters to Lord Bellomont, Connecticut, Rhode Island and to Colonel Gibson signed, also the representation as to temporary laws in the Colonies. Lord Bellomont's letter of this day read (*No.* 1,272) and instructions given to the Secretary for his reply (*No.* 1,273). [*Board of Trade.* Journal, 10. *pp.* 211-225.]

Aug. 24. London. **1,263.** Henry Hartwell to William Popple. Regretting that he cannot attend the Board of Trade and Plantations owing to gout, which has confined him to the house for twelve months. ½ *p.* *Endorsed*, Recd. and read, 24 Aug., 1697. [*Board of Trade.* Virginia, 6. *No.* 29.]

Aug. 24. **1,264.** William Popple to the Attorney and Solicitor General. Forwarding four Acts of Barbados, passed in February and March, 1697, for their opinion. [*Board of Trade.* Barbados, 44. *pp.* 83-85.]

Aug. 24. Whitehall. **1,265.** William Popple to William Penn. To avoid disputes the Council of Trade has directed Governor Nicholson to run the line of division between Maryland and Pennsylvania according to King James's Order in Council of 13 November, 1685. You are informed hereof that you may give directions for a concurrence in that work on behalf of Pennsylvania. [*Board of Trade*, Maryland, 9. *p.* 92.]

Aug. 24. **1,266.** William Penn to William Popple. "Esteemed Frd., I "just now received thy letter, am very well pleased with w^t^ the "Lords Com^rs^ have ordered, and so I shall with all their directions "that regard the public weal of the Provinces and assure them that "they shall not finde a more ready and respectfull regard from any "than their and thy assured friend Wm. Penn." *Holograph.* 1 *p.* *Endorsed*, Recd. Read 24 Aug., 1697. [*Board of Trade.* Maryland, 3. *No.* 33; *and* 9. *p.* 93.]

Aug. 24. **1,267.** Memorandum of the above letter. ¼ *p.* [*America and W. Indies.* 601. *No.* 47.]

Aug. 24. **1,268.** Minutes of Council and Assembly of Antigua. The Deputy-Governor presided in Council in the Governor's absence through indisposition. The Council concurred in a proposal of the Assembly for an Act to revive such Acts as were invalid from not being sent home within three months. The Assembly accordingly sent up an Act for the purpose, which was agreed to. The Council further concurred in the Assembly's recommendation for a payment, and for the Treasurer's not levying a duty on imported negroes. Order for Edward Walrond to attend next meeting of Council on 31 August. [*Board of Trade.* Leeward Islands, 64. *pp.* 208-210.]

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Aug. 24. **1,269.** Minutes of Council of Barbados. A conference was agreed upon concerning the bills for new entrenchments and for furnishing seamen. Habeus Corpus bill read twice and committed. The Conference met in the morning, and about sunset the Assembly returned the two bills, agreed to as amended. The President sent them a message desiring them to keep together so as to despatch the urgent business that lay before them, and urging them to pass the Excise bill without the new uses which they insisted on, this being the best way to defray the public charges and stop the mouths of the country's creditors, who were daily invading the Council. The Speaker answered that the Excise bill lay before the Council, which might pass it if it would, but that the Assembly would not recede from its former resolves, judging it unreasonable that they should raise money and not have the use of some of it for such an Agency as they required. The President thereupon again laid before them the disadvantages which might ensue if they persisted in their resolution, and rebuked them severely for their unreasonableness and obstruction in a speech of some length. The Speaker desired a copy thereof, which was sent down.

Aug. 25. The Assembly brought back the Excise bill, refusing to go back from their resolutions therein. Bill for new entrenchments read, passed and sent to the Assembly. [*Board of Trade.* Barbados, 65. *pp.* 239-343.]

Aug. 26. **1,270.** The Attorney General to the Council of Trade and Plantations. I have perused the Acts of Maryland passed in 1696, and find nothing to object to in them except a clause in the Act for Establishment of the Protestant religion, enacting that the people of Maryland "shall enjoy all their rights and liberties "according to the laws and statutes of the Kingdom of England "in all matters and causes where the laws of Maryland are silent." It seems not reasonable for all the Acts of Parliament in England to be made laws for Maryland by a general clause of this Act. If they wish to enact any particular Acts of England into laws in Maryland they had better send over a list of them, that the King may declare whether such acts are fit to be made laws or not. *Signed*, Tho. Trevor. 2 *pp. Endorsed*, Recd. 26 Aug., 1697. [*Board of Trade.* Maryland, 3. *No.* 35; *and* 9. *pp.* 179-181.]

Aug. 26. **1,271.** Memorandum as to the New York Acts not yet confirmed or disallowed by the King (1) Acts for quieting and confirming of possessions. *Queries*, Were there any arrears of quit-rents or other debts due to the King which this Act would destroy for ever? Will not the granting of large tracts in such general terms be a hindrance to the planting of the Country? (2) Act for pardoning such as have been active in the late disorders. This Act excepts some persons who have since been pardoned by Act of Parliament. If it be made conformable to the said Act of Parliament it may be confirmed. (3) Act for regulating damage done in the late disorders etc. Probably this Act has had its full effect, but it is thought fit to leave it in suspense, lest any persons should be precluded from taking advantage of it, so that it may be repeated at any time. *Query:* Of what use would its continuation or repeal be to the country? (4) Act to divide the province into shires and counties.

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Several places mentioned in the last clause, as Martin's Vineyard and Pemaquid, are not in New York Province. If these be omitted, the Act may be confirmed. (5) Act for restraining and punishing pirates. *Query*, What has been the effect of this Act? There is an error in the quotation of a statute. (6) Two Acts concerning the Post Office are temporary, and may be allowed to run out the time remaining. (7) Act to enable Isaac Leinser to erect a mill for making rape or linseed oil. *Query*, How is this invention carried on and with what effect? (8) Thomas Lloyd's Private Act. Are there none that oppose it? [*Board of Trade.* New York, 52. *pp.* 250-253.]

Aug. 26. **1,272.** Earl of Bellomont to William Popple. I received your request for the return of my Instructions for comparison with the drafts of them. They are engrossing in the Duke of Shrewsbury's office and shall be returned as soon as finished. I send the list of stores for which you ask as I received it yesterday from the Tower, whither I went on purpose to get it. There was also an Order in Council for several tools and materials to be sent with Colonel Romer to New York; if you would like a list of these you shall have it. Pray ask the Council to give me orders as to which of my Governments I shall first proceed to. The Lords Justices have more than once intimated that it should be New York, but I conceive that a verbal order is insufficient. I am advised that I should have an instruction to that effect from the Lords Justices, recommended by the Council of Trade upon my application. I presume that this present application will suffice. The reason why I ask for such an instruction is that I find that the merchants of New England do a little stomach the discourse that they have heard of my proceeding first to New York, as if it were a slight upon the people of New England, who are the larger number and far more considerable than the others. That they may not take it ill of me I think an order from the Council of Trade or from the Lords Justices, as to which of the Colonies I shall first go to, is absolutely necessary. The reasons hinted at by the Lords Justices for taking New York first are, first, because New York is a frontier, and second that I shall supersede the present Governor. *Signed*, Bellomont. 2 *pp. Endorsed*, Recd. Read, 26 Aug., 1697. [*Board of Trade.* New England, 8. *No.* 121; *and* 36. *pp.* 243-245.]

Aug. 26. Whitehall. **1,273.** William Popple to the Earl of Bellomont. With reference to your letter of to-day, the Council of Trade can do nothing except by representation to the Lords Justices, and recommend you to apply to the Lords Justices directly yourself. I beg your pardon for writing a second time for a sight of your Instructions. I had no doubt that they had been despatched. The further list of stores which you offer me will be very acceptable. [*Board of Trade.* New England, 36. *pp.* 245-246.]

Aug. 26. Whitehall. **1,274.** Council of Trade and Plantations to the Earl of Bellomont. We think it proper, while wishing you a prosperous voyage, to lay the following matters before you. First as to New York, we enclose a list of the stores mentioned in your instructions, of which, as of all other such stores, you will give us true accounts from time

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to time. By order in Council of 18 November last the Governor of New York is empowered during this time of war to distribute a part of the powder and bullets to the Five Nations, if occasion arise. Of the laws we have recommended several for confirmation and one for disallowance. We send you a list of others, which are doubtful, with our queries and objections, to which we shall require your reply. As to Massachusetts, we send you copy of the Jamaica Pirates Act, which you will endeavour to persuade the Assembly of Massachusetts to pass, a draft Post Office Act, and the form of a bond to be required from the Governments of Rhode Island and Connecticut. Mr. Usher has asked us to recommend to you the examination of the state of his accounts with the Government of Massachusetts. We send you copies of the previous orders passed hereupon that you may know how the matter stands. The Lords Justices by an Order of the 27th May gave effect to our recommendations for the despatch of another frigate for Massachusetts to convoy the salt-ships (*see No.* 1,044). You will have an eye to the observance of it. We also enclose you an Order in Council of 29 July (*No.* 1,214) as to the right of officers of the Custom House to appeal to the King in Council, that it may be observed. Next, as to New Hampshire, we send you copies of our representation of 29 July last, and of our letters of 3 August to Mr. Usher and Mr. Stoughton. We have also rebuked Mr. Usher for his neglect in the matter of the records transmitted to us by him. Next, as to Connecticut and Rhode Island, which provinces have long disputed as to the right of government over the Narragansett Country, Connecticut insisting upon the priority of its grant, and Rhode Island upon a settlement of the boundaries agreed on by the Agents of both Colonies. We have exhorted them to an amicable arrangement of the dispute, but if they will not and if your good offices fail to persuade them to do so, then you will examine and report the true state of the case and order both provinces to send Agents here as early as possible in the spring, that the matter may be finally determined. Lastly we send you a copy of the Treaty of Madrid, and urge you to use all your endeavours to repress piracy and bring pirates to punishment. We will only repeat to you certain rules which we have sent to all the Colonies respecting the writing and dating of all documents which you send to us. *Signed*, J. Bridgewater, Ph. Meadows, Jno. Pollexfen, John Locke, Abr. Hill. [*Board of Trade.* New England, 36. *pp.* 246-251.]

Aug. 26. **1,275.** Memorandum of Lord Bellomont's letter, with a list of stores sent by him to New York, asking to which of his Governments he shall first repair. *Inscribed*, Recd. Read, 26 Aug., 1697. ½ *p.* [*Board of Trade.* New York, 7. *No.* 41.]

Aug. 26. **1,276.** Memorandum of a present for the Indians to be sent with Lord Bellomont. 5 double fusils, 6,000 flints, 50 barrels of corn-powder, 5 cwt. of lead in bars. ¼ *p.* *Endorsed.* Recd. 26 Aug., 1697. [*Board of Trade.* New York, 7. *No.* 42; *and* 52. *p.* 188.]

Aug. 26. **1,277.** List of warlike stores, according to Lord Bellomont's letter, for the use of Colonel Romer, the Engineer. 1 *p.* *Endorsed*, Recd. 26 Aug., 1697. [*Board of Trade.* New York, 7. *No.* 43.]

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Aug. 26. Whitehall. **1,278.** William Popple to John Sansom, Secretary of Customs. Forwarding an extract from Governor Nicholson's letter of 27 March, with several papers relating to trade, on which he desires instructions from the Commissioners of Customs. *Here follows a list of the papers enclosed.* [*Board of Trade.* Maryland, 9. *pp.* 93-94.]

Aug. 26. Whitehall. **1,279.** Council of Trade and Plantations to Colonel John Gibson. We have received with satisfaction yours of 28 June. Afflicting though be your account of the desolate state of Newfoundland, yet the assurance we have of your care in making security for the return of the inhabitants gives us good hope of re-establishment of the Colony and fishery. We wish you happy success and a safe return. *Signed*, J. Bridgewater, Ph. Meadows, Jno. Pollexfen, Jno. Locke, Abr. Hill. [*Board of Trade.* Newfoundland, 25. *p.* 128.]

Aug. 26. Whitehall. **1,280.** Council of Trade and Plantations to the Governor and Council of Connecticut. Major-General Winthrop has faithfully discharged his duty as your solicitor. The Duchess of Hamilton has renewed her claim to the Narragansett Country. Copy of her petition has been delivered to Major-General Winthrop, and you shall be early informed as soon as any resolution is taken in the matter. We could not determine anything in your controversy with Rhode Island as to the Narragansett Country, because nobody has appeared on behalf of Rhode Island. We think that an amicable arrangement may be of mutual advantage, and exhort you to apply to Lord Bellomont to assist you both in compromising your differences. If he succeed, you will send us our copies of the agreement that it may be made unalterable; but if through any obstinacy on either side our intentions herein be frustrated, then Lord Bellomont is ordered to send agents over as early as possible next spring, in order to a final settlement of the matter by hearing both parties. The King has appointed Lord Bellomont to be Governor and Commander-in-Chief of Massachusetts, New York and New Hampshire with further powers of Captain-General over Connecticut, Rhode Island and other places, but with the limitation that in time of peace the militia of each of the provinces shall be left to the disposition of its Governor, though in times of exigency he shall always take superior command of the forces. In reply to an address from the House of Lords the King has ordered that the Proprietors of the Proprietary Colonies shall give security for the due execution of the Acts of Trade of Navigation by their Governors. Lord Bellomont will require this security from you. *Signed*, J. Bridgewater, Ph. Meadows, Jno. Pollexfen, Jno. Locke, Abr. Hill.

A similar letter, *mutatis mutandis*, to Rhode Island. [*Board of Trade.* Proprieties, 25. *pp.* 104-112.]

Aug. 26. Whitehall. **1,281.** Council of Trade and Plantations to the Lords Justices of England. We have observed in some of the Assemblies of the Plantations in America a practice of making laws for a limited time and re-enacting them immediately before expiration, and continuing on that method for one and the same law. We conceive this practice to be open to the objection that if any such law once enacted should

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be disallowed by the King, yet by enacting it a second time or oftener it may be continued in force, and the King's supreme authority in the enacting of laws eluded. To prevent this we recommend that a clause which already appears in the instructions of some of the Governors shall be added to all, viz. that all laws, except those for a temporary end, shall be indefinite and without limitation, and that no law once enacted shall be re-enacted except on very urgent occasions, and in no case more than once without the King's express command. *Signed*, J. Bridgewater, Ph. Meadows, John Pollexfen, Jo. Locke, Abr. Hill. [*Board of Trade.* Plantations General, 34. *pp.* 176-178.]

Aug. 26. Whitehall. **1,282.** Order of the Lords Justices of England in Council. Referring the petition of Sir Thomas Laurence to the Council of Trade for report. *See No.* 747. *Signed*, Wm. Bridgeman. ½ *p.* *Enclosed*,

1,282. I. Extract from the minutes of Council of Maryland, 10 December, 1696. Sir Thomas Laurence brought before the Board the question whether he was entitled to fees for process taken out of the Secretary's office on the King's behalf. After deliberation it was on the 16th December resolved that he be referred to lay the matter before the Council of Trade. *Copy.* 3 *pp.* *The whole endorsed*, Recd. 14. Read, 15 Sept., 1697. [*Board of Trade.* Maryland, 3. *Nos.* 34, 34 I.; *and* 9. *pp.* 105-110.]

Aug. 26. Whitehall. **1,283.** Order of the Lords Justices of England in Council. Referring to the Council of Trade and Plantations a petition from Captains Weems and Hide, together with the order for deduction of 30 *per cent.* from English pay, for their report. *Signed*, William Bridgeman. 1 *p.* *Annexed*,

1,283. I. Petition of Captains Weems and Hide to the Lords Justices. We raised our companies for New York in 1694 and have since done our utmost for the preservation of the place. From the time when the soldiers were first raised to the time of embarkation and from thence to their landing at New York was eleven months, during which they underwent great hardships and fought a French man-of-war. For all this period the men received English pay while on shore, and the victualler had the like for their provisions. By the Establishment of New York the Governor is obliged by his instructions to cut off 30 *per cent.* of the English pay, to be employed as the King shall direct; and Governor Fletcher accordingly demands the same from us for the eleven months during which we received English pay. This is impossible, for the men have spent it, and as the Governor cannot discharge them without order we beg that he may be instructed not to deduct the 30 *per cent.* during the eleven months. *Copy.* 1 *p.* *The whole endorsed*, Recd. Read 1 Sept., 1697. [*Board of Trade.* New York, 7. *Nos.* 40, 40 I.; *and* 52. *pp.* 253-256.]

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Aug. 26. **1,284.** Minutes of Council of Massachusetts. The accounts of John Usher of his brother's estate inspected and approved. On the petition of the select men of Boston, leave was granted to build a school house. Leave was granted to Benjamin Fitch to build a house in Boston. Order for payment of £20 to Sheriff Samuel Gookin for the expense of the Court held at Boston in October, 1694. [*Board of Trade.* New England, 49. *pp.* 111-112.]

Aug. 30. **1,285.** Journal of Council of Trade and Plantations. Order for Major Wilson to attend on Wednesday next to give information as to Virginia.

Aug. 31. The Secretary delivered a message from Mr. Grey acquiescing in his instructions without the alterations proposed by Lord Tankerville; and it was ordered that they be written fair. Letter of 17 June from the President and Council of Barbados read.

Draft letter to the Governor of Maryland approved. Mr. Randolph's memorial of this day was read (*No.* 1,290).

Sept. 1. Letter from Mr. Penn to Governor Markham, dated this day, read (*No.* 1,292) and a copy of the Order in Council of 1685 concerning his boundary with Maryland ordered to be sent to him.

Major Wilson attended and gave information as to Virginia. As to tobacco-planting he said that the plants were set in about three feet distant one from another, and that they reckon that one man can tend 10,000 plants, which would cover three acres. Land as planted will produce about three hogsheads, or fifteen *cwt.* of sweet-scented tobacco *per* acre, and about 10 *cwt* of Oroonoko. After describing the various offices, etc., he said that they made good pitch and tar and sent abundance of it to the West Indies, the barrel of 32 gallons being worth about 18 shillings. Very good leather is also made and shipped to England. An ordinary labouring man's shoes made out of this cost half-a-crown to three shillings, and are much better than those imported from England. Little cloth is made and that raw and not fulled. Wages of day-labourers are from one to two shillings a day. Planters generally kill their own meat, sometimes they sell meat to the ships, beef at about 1½*d. per* lb., and pork from 1½*d.* to 2*d.*

Draft Commission to Mr. Day to be Governor of Bermuda read and approved.

The Order in Council of 26th ult. as to the petition of Captain Hide received and read (*No.* 1,283). Order for the records of the New York Establishment to be searched for.

Sept. 2. Several representations signed, also the letters to Maryland and Virginia, but ordered not to be sent till another signature be added. [*Board of Trade.* Journal, 10. *pp.* 211-232.]

Aug. 31. Whitehall. **1,286.** Instructions to the Earl of Bellomont as Governor of Massachusetts. In his absence from New England and New York half of his salary and perquisites is to be paid to the Lieutenant-Governor. In time of peace the Militia of Connecticut and Rhode Island are to be left to the command of the Governors. He is to pass a law against pirates, and endeavour to pass one for a Post Office. He is forbidden to alter the value of current coin. No printing press is to be kept nor book to be printed without his licence.

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Strict injunctions for execution of the laws relating to the Plantation trade. He is to take security from the Governors of Connecticut and Rhode Island for their obedience to all instructions for executing the Acts of Trade. *Countersigned*, Ja. Vernon. [*Board of Trade.* New England, 36. *pp.* 260-272.]

Aug. 31. Whitehall. **1,287.** Instructions to the Earl of Bellomont as Governor of New Hampshire. The Council is named as consisting of William Partridge, John Usher, John Hincks, Nathaniel Fryer, Thomas Crawford, Peter Coffin, Henry Green, Robert Eliott, John Parish, John Ware and John Love. Five to be the quorum of Council except on extraordinary occasions. He is to get Acts passed to regulate appeals to the Governor in Council, and to restrain inhumanity to servants. [*Board of Trade.* New England, 36. *pp.* 286-299.]

Aug. 31. Whitehall. **1,288.** Instructions to the Earl of Bellomont as Captain General and Governor-in-Chief of New York and its dependencies. The Council is nominated as follows: Frederick Flypse, Stephen Van Cortlandt, Nicholas Bayard, William Smith, Gabriel Minivell, Chidley Brooke, William Nicoll, William Pinhorne, Peter Schuyler, John Lawrence, Richard Townley, John Young. The quorum to be five except on extraordinary occasions. He is to report as to the necessity for establishing a Court of Exchequer. Sole power of impressing seamen is committed to him. Collation to benefices, granting of marriage-licences and probate of wills are reserved to him. Liberty of conscience to be permitted to all but Papists. There is to be no innovation within the river of New York, nor are any goods to pass up it without first paying duty at New York; since some of the adjoining Colonies, under pretence of grants, endeavour to obstruct the trade of New York and Albany. There is to be no trade between East Jersey and the Indians but by way of New York. He is to renew friendship with the Five Nations, and purchase great tracts of land for the King from them, if advantageous and if good opportunity arises. A law to fix a certain property qualification for jurors is to be passed. His salary is to be £400 a year, the Lieutenant-Governor's £200 a year. No alteration is to be made in the value of current coin without the King's permission. No printing press to be permitted without a license. He is to report on Robert Livingston's case. The Acts of Trade and Navigation are to be strictly executed. Any failure therein by wilful fault or neglect on the Governor's part will be punished by loss of his place and such further penalties as the King shall judge reasonable. *Countersigned*, James Vernon.

Additional instruction of 9 September, that he shall repair first to New York, on going out to his Government. [*Board of Trade.* New York, 52. *pp.* 216-247.]

Aug. 31. Maryland. **1,289.** Governor Nicholson to Council of Trade and Plantations This comes by the Commodore of the West Indian squadron, lately commanded by Rear-Admiral Nevill, who died in Virginia, and by Rear-Admiral Mees, who died at sea. It is generally supposed, if this month continues seasonable, that there will be extraordinary great crops of tobacco, so I still propose that the London fleet and

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the out-port ships may have orders to sail from England this winter, for I am yet of opinion that the London merchants will endeavour to delay them till the next fall after this, which, if they obtain, will be very prejudicial to the King's interest, by reason that some of the tobacco by being here so long will be spoiled. But if the fleet and ships come in time enough to sail before next summer I hope that they will pay to the King's Customs over £300,000 sterling. The merchants being made sensible of the likelihood of great crops of tobacco and the great quantities shipped for England in the last two fleets, will make the market fall; and they will make every endeavour that their fleets shall not come for it soon. But if there be as great a crop next year, it will be impossible for ships enough to come to carry both crops; so that in two or three years there will be one crop very nearly spoiled here. *Signed*, Fr. Nicholson. 2 *pp.* *Endorsed*, Recd. 2nd, Read, 3rd Nov., 1697. [*Board of Trade.* Maryland, 3. *No.* 36; *and* 9. *pp.* 171-173.]

Aug. 31. **1,290.** Edward Randolph to Council of Trade and Plantations. In reply to Mr. Popple's letter of 17th inst. I report as follows. On the 6th of May last the Lords Justices by Order in Council instructed the Admiralty to give the necessary orders for despatch of a vessel of forty tons well manned to Delaware, unless they saw objection to the same; but I do not know what progress the Admiralty have made therein. Certainly, seeing that the vessel fitted out for that duty by Governor Nicholson has been discharged, it is very desirable that another of like burden should be had, either in Maryland or some other Colony, with a knowing and diligent master and sailors (who should not be of the inhabitants) to cruise in and at the mouth of Delaware Bay and elsewhere to prevent illegal trade. But the sending of such a vessel from England will be only a very great charge and will not answer the proposed end, for she may be had and manned and maintained at far less charge in the Colony. Besides if they send a master and sailors that know their business from hence, they will not serve long for bare wages but will project to enrich themselves by indirect ways, by taking money from Scotch traders and others to connive at their frauds, and so eluding the only intent of their going thither, being under no check or control upon the place. Or they might be oppressive and exacting towards honest traders, as has been commonly practised by the commanders of the King's frigates in Virginia, and as many masters have good cause to complain. *Signed*, Ed. Randolph. *Holograph.* 1 *p.* *Endorsed*, Recd. 27 Aug., Read 31 Aug., 1697. [*Board of Trade.* Maryland, 3. *No.* 37; *and* 9. *pp.* 94-96.]

Aug. 31. and Sept. 1. **1,291.** Minutes of Council and Assembly of Antigua. The Council gratefully concurred in a proposal of the Assembly that a list be made of the remittances made the Governor since his assumption of the Government, and that an order pass for the same for his security. The Assembly sent up the Act to revive expiring Acts and an Act for trespasses, with the request that they might be passed immediately. The latter Act was accordingly passed with the amendments of the Council. The Assembly begged that the Governor would send his messages in writing and not

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verbally, since the minutes were rendered incoherent by unrecorded messages. Messages from the Assembly, refusing to free a negro at the public charge but recommending a public subscription for the purpose, and asking for the payment of several accounts. Orders for payment accordingly. Declaration of the Council vindicating the Governor's loyalty against the aspersions of Edward Walrond. [*Board of Trade.* Leeward Islands, 64. *pp.* 210-214.]

Sept. 1. Whitehall. **1,292.** William Penn to Governor Markham of Pennsylvania. Directing him to co-operate with Governor Nicholson in drawing the boundary line between Pennsylvania and Maryland, on the basis of an Order in Council of 1685. ½ *p.* [*America and West Indies.* 601. *No.* 48; *and Board of Trade.* Maryland, 9. *p.* 96; *and* Proprieties, 25. *p.* 140.]

Sept. 1. **1,293.** Memorandum of the preceding letter. 1 *p.* [*Board of Trade.* Maryland, 3. *No.* 38.]

Sept. 2. **1,294.** Minutes of the Council of Massachusetts. Order for payment of £6 to a treasurer for public entertainments. Leave granted to Thomas Peek, jun., to build a house in Boston. [*Board of Trade.* New England, 49. *p.* 113.]

Sept. 2. Whitehall. **1,295.** Council of Trade and Plantations to Governor Sir Edmund Andros. We have received yours of 22 April, from which we understand that ours of 1 February had not yet reached you, but we doubt not that it is since come to your hand. We have also received the papers mentioned in your letter and also others which were not mentioned, but no list of the whole which ought to have been sent. We enclose you a letter from the King of 22 April relating to the execution of the Acts for the Plantation Trade, to which we refer you. Now as to your letter, we must notice first your neglect in a thing which we had required you to observe, namely an account of all money given for public uses, and how the same is and has been from time expended. You say indeed that the Auditor has transmitted an account of the revenue, but we have not received it. You will see in our letter of 24 September, that the King requires his Governors to send us from time to time exact accounts of all public money, and we expect the King's pleasure herein to be punctually observed at least from the beginning of 1696. We expect also that whatever orders you were directed by your instructions to observe towards the late Committee of Trade and Plantations shall be observed also towards us. You have omitted to give an inventory of the arms, ammunition and stores in the King's magazines, as your instructions require you. We observe what the Council says in its letter of 24 April concerning the quota for New York, though you say nothing of it in yours. We must on this head refer you to our letter of 1 February, adding only that it was by Order in Council of 19 November last that the King required us to order the Governors of all the Colonies concerned to make good their respective proportions. What the Council writes of the debt on the two shillings *per* hogshead duty and its insufficiency to defray the charges assigned to it are matters

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of very great importance, which we are thoroughly sensible ought to be remedied. But by your omission to send us the public accounts or even your own opinion on that head, you have wholly incapacitated us from submitting anything to the King on that subject, having no proper foundation upon which to do it. The inconveniences which may arise from them until you obey the King's instructions will lie wholly at your door, and we therefore wish you may not only speedily remedy this fault but prevent any occasion of such like observation in the future. Your answers to our queries are methodical, yet some of them call for remark. We think that the making of pitch and tar should be encouraged, and wish to know to what perfection they are brought in Virginia, whether they are as good as those of Sweden and Denmark, and what you would recommend to encourage the making of them. Concerning illegal trade your answer is not distinct. There is nothing to show whether the heads of which it consists are all of them now practised, or only in your opinion advisable to be practised. The Act for Ports, though the Act formally made for that purpose has been thought inconvenient and has therefore been suspended in execution, and though perhaps it may not be advisable to make any full and perfect regulation therein at once, yet has certainly a good object; and we wish you to prepare and send us a draft of an Act which may have some tendency thereto, as may best suit the circumstances of the country. Your answer as to the number of ships and seamen is imperfect. "Many" and "few" are too indeterminate expressions. We desire positive numbers, so far as can be known or judged. You give no reason why the officer should have made no return of the number of ships built. We desire a more particular answer as to naval stores. We have not yet read the journals of public proceedings which you have sent us, but shall shortly give you our observations thereon. But, on looking backward, we find the laws of Virginia to be in so great disorder that we know not how or when we shall be able to make any report on them to the King. For we are sensible of many inconveniences that have arisen and may arise from the consideration of any of them in separate parcels without a perfect view of the whole. This seems to have been one great occasion of the confusion which necessitated giving an instruction, first to Lord Howard and since to yourself, to revise the laws and send over a draft body of those in force there with your opinion thereon and what alterations you consider needful; which has not been done. We observe indeed that the revisal of the laws has been obstructed by heats and differences in the Assemblies, though with what reason or want of reason we have not examined. But, however that were, we conceive that the thing required might have been done by many Governors and ought to have been done accordingly. Your instructions say in plain words, "That it may be the better "understood what acts and laws are in force, you are required with "the assistance of the Council to send over a complete body of those "that are so with your opinions, etc.," as aforesaid. This is no impossible nor difficult work, but it appears to us to be absolutely necessary, and therefore we must positively require it from you with all expedition. We add only this further direction, that, among the laws now in force, you distinguish those that have been ratified by the

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King from those that remain in force till his pleasure be declared. We will add one word about rule and method. All writings whatever to be transmitted from Virginia must have fair margents, capable to hold notes that may be made upon them. In the journals and public transactions the heads of each matter must be minuted and set down in the margent. All papers whatever, even petitions, addresses or the like, must be conveniently dated. These little rules we esteem useful to be observed and you will give orders accordingly. *Signed*, J. Bridgewater, Ph. Meadows, J. Pollexfen, J. Locke, Abr. Hill. [*Board of Trade.* Virginia, 37. *pp.* 79-88.]

Sept. 2. Whitehall.

1,296. Council of Trade and Plantations to Governor Nicholson. We have received duplicates of yours of 14 July, 1696, also your letters of 13 and 27 March. We observe that ours of 25 September, 1696, had not then reached you, but we do not doubt that it has been since delivered to you. We have not had time to go into all the particular matters that lie before us concerning Maryland, but we write what we can. This will be brought to you by the advice-boat Swift, which we suppose will answer your end as a vessel to cruise on the coast. We send you a letter from the King of 22 April last, requiring your punctual care in the execution of the Acts of Trade. As to Colonel Copley's conversion of public money to his own use, we cannot conceive why prosecution has not been made thereupon, to recover from his estate whatever was found due to the King. As to stores of war, we can find no list of them among the papers sent by you; as the King has ordered such a list to be furnished annually we expect your compliance herein. You have also omitted to send an account of all money received for public uses and of its expenditure. We expect this to be punctually done at least from the beginning of 1696. As to the quota, we could not have understood the meaning of the Assembly's address thereon, had it not been more plainly expressed in other papers. But since they told you that they did not think themselves obliged to contribute any more thereto till the royal pleasure was known, we repeat to you that by his Order in Council of 19 November last, the King directed us to order the Governors of the various Colonies concerned that they should each make good their respective proportions; and you will observe this accordingly. We have looked out the Order in Council of 1685 as to the boundary between Pennsylvania and Maryland, and have required Mr. Penn to direct the Government of Pennsylvania to co-operate with you in drawing the line accordingly. The laws of Maryland we find to be in a great disorder. Those formerly sent by you have only just been returned to us by the Attorney and Solicitor-General; the last are yet in their hands, and until we have received the whole we cannot consider them. They need thorough revision, and we are doubtful lest a determination on any part of them until a view of the whole will but breed greater confusion. It was to the better understanding of the laws in force that you were required to send over to us a complete body of the laws with your opinion thereon and what alterations you judge expedient, and we wish to put you in mind of this instruction. We would remind you also of another instruction as to the laws, viz. that all be made indefinite except those for a temporary purpose. You will

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therefore not re-enact a law which has been enacted before, except on very urgent occasions, nor in any case more than once without the King's express consent. The neglect of this rule has evidently been the fault in enacting laws in Maryland, and the list of those passed in your time shows that you have not too well observed it.

We commend your care and diligence in the papers which you have sent us. The distinction between free-men, negroes and servants, which you say you intend in the account of taxables, will be very acceptable. As to the pirate, Day, we wish you had told us what laws are in force in Maryland for the punishment of pirates, for though we may find it for ourselves yet your information would have made it easier for us. You will write to us your proposals for what may be expedient, not only for the seizing of such persons but for the punishing of them. The Sheriffs' returns of persons employed in places of trust, contrary to the intent of the Act for preventing frauds, are very imperfect and answer not the end of your enquiry. The Assembly's address about remission of forfeitures upon Navigation Bonds is under the consideration of the Commissioners of Customs. We are sensible of the evil which you say arises from the engrossing of lands. You will exert all your power to redress the evil, and propose to us very fully and plainly what you think should be done to remedy what is past and prevent the like in future. The General Pardon which you propose may be expedient, but though it must spring from the King it must be prepared in Maryland, on sight of which and of the reasons which you send with it, it will be time to consider the question and not before. As to the two women under sentence of death, the matter should be brought before the King by petition, with a state of the case and the grounds for recommending them to mercy. As to William Dent, however fit he may be to be Solicitor General, we do not think it expedient to recommend the establishment of any such new officer. The Addresses and Associations have been forwarded to the King. In future all writings whatever in your correspondence must have fair margents; in the Journals and other public transactions the heads of each matter should be minuted in the margent; and all papers whatever should be dated. *Signed*, J. Bridgewater, Ph. Meadows, Jno. Pollexfen, Jno. Locke, Abr. Hill. [*Board of Trade.* Maryland, 9. *pp.* 97-104.]

Sept. 2. Whitehall. **1,297.** Council of Trade and Plantations to the Lords Justices of England. With reference to your order of 26 August, on the petition of Captains Weems and Hide (*see No.* 1,283), we think, on the representation of these officers, that there is no manner of reason why 30 *per cent.* should be deducted from the pay of their companies for the eleven months before they landed in New York, and that Governor Fletcher should be ordered not to require it. As regards the deduction of the 30 *per cent.* generally we notice that the sum arising from that deducting is £2,040, of which £349 is set apart for payment of a chaplain, gunner, armourer, storekeeper, etc., and the remainder placed at the Governor's disposal for the contingent use of the companies and the fortifications. He is required to account for this fund, but no account has been received; and we think that he should be ordered to furnish it. Finally we

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think that the whole deduction of 30 *per cent.* should be revoked, as a hardship to the companies. *Signed*, J. Bridgewater, Ph. Meadows, Jno. Pollexfen, Jno. Locke, Abr. Hill. [*Board of Trade.* New York, 52. *pp.* 257-260.]

Sept. 2. **1,298.** Council of Trade and Plantations to the Lords Justices of England. Submitting a draft Commission and Instructions for Samuel Day as Governor of Bermuda. *Signed*, J. Bridgewater, Ph. Meadows, John Pollexfen, Jo. Locke, Abr. Hill. [*Board of Trade.* Bermuda, 29. *p.* 40.]

Sept. 2. Whitehall. **1,299.** Council of Trade and Plantations to the Lords Justices of England. Submitting draft Instructions for Ralph Grey, as Governor of Barbados, for approval. *Signed*, J. Bridgewater, Ph. Meadows, John Pollexfen, Jo. Locke, Abr. Hill. [*Board of Trade.* Barbados, 44. *p.* 90.]

Sept. 3. **1,300.** The Attorney General to Council of Trade and Plantations. I find nothing to object to in the six Acts passed by the Assembly of Barbados from 18 August, 1696, to 27 January, 1696-7, which were referred to me by Mr. Popple's letter of 17 July. *Signed*, Tho. Trevor. 1 *p.* *Endorsed*, Recd. 4th, Read, 21st Sept., 1697. [*Board of Trade.* Barbados, 7. *No.* 39; *and* 44. *pp.* 91-92.]

Sept. 3. **1,301.** The Attorney General to Council of Trade and Plantations. With reference to the Acts of Barbados, passed in February and March last, and sent to me in Mr. Popple's letter of 24 August, I find nothing in them to object to, except in the Act declaring the decision of controverted elections of members of Assembly to be legally and rightfully in the Representatives of the people of the Island. It is, I think, a question whether this may not abridge the Royal prerogative, for if it has hitherto been the usage in Barbados for the Governor to determine controverted elections, it will be a diminution of the King's power to place that in the Assembly. The Act legalising the affirmation of Quakers in lieu of an oath in the usual form is the same as that made in the 7th and 8th year of the King, against which I have no objection. *Signed*, Tho. Trevor. 1¼ *pp.* *Endorsed*, Recd. 3 Sept. Recd., 6 Oct., 1697. [*Board of Trade.* Barbados, 7. *No.* 40; *and* 44. *pp.* 93-94.]

Sept. 4. Custom House. **1,302.** Secretary of Customs to William Popple. In reply to yours of 26 August, the Commissioners of Customs have received several papers from Governor Nicholson to the same purpose as the extract forwarded by you, and will prepare an answer thereto. *Signed*, Jno. Sansom. ½ *p.* *Endorsed*, Recd. Read, 6 Sept., 1697. [*Board of Trade.* Maryland, 3. *No.* 39; *and* 9. *p.* 105.]

Sept. 4. **1,303.** Minutes of Council of Jamaica. The Governor reported to the Board that the merchants refused to advance more money for the victualling and repair of ships, as the money advanced by them two years before was still unpaid and they saw no prospect of repayment; that he had been obliged to borrow £250 to enable H.M. ships Newcastle and Colchester to sail to the Windward Islands, and that he proposed to take £1,000 of the soldiers' subsistence money in order to furnish the ships, since otherwise it would

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be necessary to lay them up. The Council concurred, and it was ordered accordingly. [*Board of Trade.* Jamaica, 79. *pp.* 18-19.]

Sept. 6. **1,304.** Minutes of Council of Massachusetts. Licence granted to Andrew Belcher of Boston, merchant, to export provisions to Newfoundland. Twelve sheep and a hogshead of Canary were ordered to be sent by the same ship as a present to Colonel Gibson. [*Board of Trade.* New England, 49. *p.* 114.]

Sept. 6. **1,305.** Journal of Council of Trade and Plantations. The New Commission of 6 July was read.

Mr. Sansom's letter of 4th inst. as to the Maryland papers sent to him was read (*No.* 1,302).

Two reports of the Attorney General of 3rd inst. on the laws of Barbados were read (*Nos.* 1,300, 1,301), and the Secretary was directed to apply to him for some earlier laws still in his hands.

Draft instructions for Governor Day considered.

Sept. 7. Orders given as to the dispatch of letters to the Colonies.

The Secretary gave information as to certain gentlemen appointed to the Council of Barbados, whose names are not in Governor Grey's instructions. The Council observing that these names brought up the numbers of the Council of Barbados to twenty-two, ordered investigation of the original constitution of that body.

Sept. 8. Several documents relating to the Council of Barbados were examined, and further consideration deferred.

Order for the representation as to temporary laws in the Colonies to be stopped, and its substance embodied in a more general report.

Order for certain queries to be sent to Colonel Hartwell concerning Virginia.

Order for the letter to Colonel Gibson, returned by the Admiralty, to be sent to the Commissioners of Transportation for conveyance.

Governor Day's instructions further considered.

Mr. Penn attended to protest against the design of keeping a man-of-war, under the direction of the Government of Maryland, to cruise about the entrance to Delaware Bay. He was referred to the Commissioners of Customs, as the persons responsible for that design.

Sept. 9. A clause against piracy added to Governor Day's instructions.

Sept. 10. On intimation of the importance of Golden Island and of the Port upon the Main over against it, in case of any settlement by any nation on the Isthmus of Darien, a representation was ordered that a competent number of men should be sent from England or Jamaica to seize the Port and Island for the Crown of England.

Draft clause against piracy for Governor Day's instructions agreed to.

Mr. Lowndes's letter of 8 September read (*No.* 1,308) with a report of the Commissioners of Customs concerning East and West Jersey. Ordered that the clause in the New York instructions relating to that Province be sent to the Treasury.

A paper sent some time since by the Company for working mines in New England was read. [*Board of Trade.* Journal, 10. *pp.* 241-253.]

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Sept. 7. Whitehall. **1,306.** William Popple to Henry Greenhill. Forwarding packets for the Governors of Virginia and Maryland, to be carried by H.M. Advice-boat Swift. [*Board of Trade.* Plantations General, 34. *p.* 178.]

Sept. 8. Admiralty Office. **1,307.** William Bridgeman to William Popple. Yours of yesterday has reached me with a letter for Colonel Gibson, to be sent by H.M.S. Dreadnought. That ship sailed for Newfoundland on the 29th ult., and is presumed to be a good way on her voyage, so I return the letter. *Signed,* Wm. Bridgeman. ½ *p. Enclosed,* Rec. Read, 8 Sept., 1697. [*Board of Trade.* Newfoundland, 3. *No.* 85.]

Sept. 8. Treasury Chambers. **1,308.** William Lowndes to William Popple. Forwarding a report from the Commissioners of Customs on a petition of the Proprietors of East and West New Jersey, for the opinion of the Council of Trade.

Here follows, Petition of the Proprietors of East and West Jersey to the Lords of the Treasury. Under our charter granted us by King Charles II, we have power to constitute maritime and other officers and to erect ports. For the better enforcement of the Acts of Trade and Navigation we have appointed Perth Amboy in East Jersey, and Burlington, Salem and Cape May in West Jersey to be ports for loading and unloading. Nevertheless the collectors at New York pretend that all ships bound to the Jerseys must either unlade at New York or pay custom there for the goods imported, and have lately forced several people to do so. We beg that we may enjoy the liberty of our own ports in future and be freed from the pretensions of New York.

Here follows, Report of the Commissioners of Customs on the foregoing petition, 31 August, 1697. It seems that the inhabitants of New York have granted a certain revenue to the Crown for the defence of the province, arising from an impost on all goods exported and imported, and all Indian trading carried up the Hudson river, and an excise of liquor retailed. The Collector of New York has demanded the same on all goods belonging to the Jerseys that come within the Hudson River. This the Collector alleges to be the ancient practice, but these duties are not under our management, nor is it by our orders that the use of their own ports has been denied to the Jerseys. We therefore leave this matter in your hands. Among the officers for the Continent of America approved by your warrant of 20 November last are a Collector for Perth Amboy and another for Burlington, to collect the duties levied under the Act of 25 Car. II, and for those purposes it is necessary that there should be privileged ports for the officers of the Customs in order to the despatch of business inwards and outwards. *Signed,* Robert Henty, Sam. Clarke, John Austin. [*Board of Trade.* Proprieties, 25. *pp.* 141-148.]

Sept. 8. Whitehall. **1,309.** William Popple to the Attorney-General. The Council of Trade having received your two reports of 3rd inst. wish to remind you of a former parcel of laws of Barbados sent to you on 5 October last, the want of which hinders them from making present

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use of what they have now received from you. They beg therefore for your opinion, or the Solicitor General's, with all possible despatch. [*Board of Trade.* Barbados, 44. *p.* 41.]

Sept. 8. Whitehall. **1,310.** William Popple to the Agents for Barbados. The Council of Trade has had under their consideration an Act of Barbados, declaring the decision of controverted elections to the General Assembly to lie in the Representatives of the people. They desire you to inform them in writing what the practice has been, where the right of determining in such cases has lain, by whom it has been exercised, and since when and by whom any alterations have been made therein. [*Board of Trade.* Barbados, 44. *p.* 96.]

Sept. 8. **1,311.** Minutes of Council and Assembly of Antigua. The Assembly met, but there being no full Council, could not proceed to business, but it was resolved to address the Governor on the grievances caused by the abridgement of the Lieutenant-Governor's ancient powers. A letter was accordingly drawn up and signed by the Speaker, as follows. The Council refuses to obey the Lieutenant Governor's summons to meet, on the pretext that we have affronted them. The Council has refused to issue a writ for election of a new member, and on our remonstrating call it an affront on our part. We had appointed a new Treasurer and a joint Committee to examine the late Treasurer's accounts, but on our making certain proposals in respect to those accounts the Council refused to answer and now refuses to meet. We must further represent that we hold your Commission to Colonel Browne to receive the duty on liquors to be improper without the consent of the Council and Assembly; and that legislation and the administration of the island are falling into arrear owing to the abridgement of the ancient privileges of the Lieutenant-Governor. [*Board of Trade.* Leeward Islands, 64. *pp.* 426-429.]

Sept. 8. **1,312.** Journal of General Assembly of Massachusetts. The Lieutenant-Governor acquainted the Assembly with the measures that had been taken for defence of the Province and recommended the state of the Treasury to its consideration. Order for a bill to revive the Act for giving succour to neighbouring colonies.

Sept. 9. An order for a committee to hear the dispute between Freetown and Tiverton was sent down to the Representatives. Bill to revive the Act for assistance to neighbouring colonies read.

Sept. 10. The same bill was read a second time. Proposals from the Assembly to defer laying a new tax and for a recess for some weeks, received. Bill for an allowance to the Commissioners for farming out the excise rejected. Report of the Committee appointed to settle the bounds of Rehoboth and Attleborough received and confirmed. An order of the Representatives, to restrain claims on the Treasury for a time, was agreed to. Bill to revive the Act for succour to neighbouring colonies passed into an Act. The Assembly was then prorogued to 13 October. [*Board of Trade.* New England, 48. *pp.* 178-179.]

Sept. 9. H.M. Yard near Portsmouth. **1,313.** Henry Greenhill to William Popple. In obedience to yours of 7th I have sent the packets for Virginia and Maryland on board the Swift, advice-boat. *Signed,* Henry Greenhill. ½ *p.* *Endorsed,* Recd. Read, 10 Sept., 1697. *Enclosed,*

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1,313. 1. Receipt of the Captain of H.M.S. Swift for two packets for the Governors of Virginia and Maryland. 7 September, 1697. *Signed*, J. Bostock. *Scrap.* [*Board of Trade.* Plantations General, 4. *Nos.* 65, 65 1.; *and* (*without enclosure*) 34. *p.* 179.]

Sept. 9. Whitehall. **1,314.** William Popple to Henry Hartwell. The Council of Trade, while lamenting your indisposition, have directed me to forward you a paper of enquiries for your answer thereto. [*Board of Trade.* Virginia, 37. *p.* 89.]

Sept. 10. **1,315.** Minutes of Council of Barbados. The President reported that he had sent out the Bideford, as well manned as she could be in the time, to chase a brigantine which had run away out of Speights Roads. Order for the Bideford to be overhauled, and everything done to make her healthy and serviceable. Bill for furnishing seamen read, with amendments, and sent down to the Assembly. [*Board of Trade.* Barbados, 65. *pp.* 243-244.]

[Sept. 10.] **1,316.** Copy of an Act of Massachusetts of 31 May, 1671. Giving a privilege to Mr. Richard Wharton to make pitch, rosin, turpentine, etc. 1 *p. Endorsed*, Sent to the Board by Mr. Hebb. Recd. 19 Aug. Read 10 September, 1697. [*Board of Trade.* New England, 8. *No.* 122; *and* 36. *pp.* 299-300.]

Sept. 11. Antigua. **1,317.** Edward Walrond to the Earl of Bridgewater. We, the King's subjects in the Plantations, are frequently under the misery of arbitrary Government, and I am emboldened to beg for your protection against our General Codrington. It is in the case of Captain Robert Arthur, of which I have already reported to you the most minute circumstances, and considering the great scandal which it has produced, I have made it my business to discourse freely thereof on all occasions. The General, having received the enclosed deposition from Mr. Laurence Crabb, summoned me before himself and Council to answer the several matters therein objected to me, and I may say without partiality that I have done so, by no less testimony than that of the Council. My apology, enclosed, mentions the persons I made use of, and they are most of the Council, who maintained the premises. The General was very importunate with the Council to undertake the prosecution of this abuse against himself (as he termed it) but they utterly refused to meddle, alleging that they could not conceive that I had done anything contrary to my duty. The General thereupon bound me in £500 to be of good behaviour and to be answerable at Grand Sessions, and ordered the Secretary to strike my name out of the Commission of the Peace. I am satisfied that it was with a desire to prevent me from going to England whither my affairs call me and where I hope to arrive next spring, when I shall not only convince you of the truth of Arthur's case but shall discover to you various irregularities on General Codrington's part. Such proceedings, if unremedied, will discourage every man from his duty. I declare that I have no other end herein but the public good, for I am a prosperous man, and I do not doubt to receive encouragement from you. I think you ought to know by what undue methods Governor Codrington has supported himself,

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and indeed had not the equity of my case pleaded undeniably in my defence I should have been crushed, for Mr. Crabb is wholly devoted to the Governor. He exhibited the enclosed character of him in the Assembly, of which he is a member, and concurred to compliment the General with the same, ushered in by a message, with intent to invalidate my testimony in Arthur's case. This they did before I was heard by the Council, for when I had proved my apology and supplicated the Assembly to make me some satisfaction for the injury which they had so precipitately done me in their message, they absolutely refused to do it. They added that they were sorry the Governor had been so careless of his own reputation, and wholly declined the cause, pretending that it was not within their cognisance, whereas, to gratify the Governor, they had not scrupled before to act contrary to the rules of justice. I may say that that encomium is as confused as the actions of the gentlemen that it represents. You will hardly admit such a preposterous character to be within the rules of common sense. *Signed*, Edward Walrond. 1 *closely written page*. *Endorsed*, Read, 1 Dec., 1697. *Annexed*,

1,817. 1. Deposition of Lawrence Crabb, taken before the Council of Antigua, 27 July, 1697. Hearing Edward Walrond discourse very freely on the 5th inst. about the Governor, I took upon him to make some reply to him as follows: Walrond said that when the written depositions of treason spoken by Captain Arthur were taken, the said Arthur moved for bail, but the Justice first desired the Governor's warrant for the three witnesses to be brought from on board the frigate and to be bound over to prosecute, but that the Governor refused to give the warrant, saying that the witnesses could be forthcoming when the trial came on. Thereupon I asked why the Justice did not bind the witnesses when he took their depositions. Walrond answered that it was Colonel Holt, who was no Justice, that had taken the depositions, and that when Arthur's trial came on the three witnesses were out a cruising in the King's frigate, and so none were forthcoming. I answered that it was not the Governor's business to know where the witnesses were, nor to find them out. Walrond replied that the Governor did know where they were, for they were on board the frigate and he had sent her cruising and appointed the day for her sailing, and that he (Walrond) believed that the Governor knew they would be absent at the time of the trial. Walrond then asked me whom I thought to be in fault. I answered that he tried to lay the fault on the Governor, but asked why the Court did not ask for an adjournment since they knew the witnesses were absent. "So "they might have done," he said; on which he ran at me and said the Court had a very good action against me for laying the fault on them, and that the Court's action was as good as the Governor's. I answered "Only just now you asked me who was in fault.

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"You yourself acknowledged that the Court might have "asked for an adjournment until the witnesses could be "produced, and yet you say it is actionable in me to "have asked why it did not ask for an adjournment. A "man must be careful of what he says in your company." Walrond then said positively that the fault was the Governor's, and that he ought to have written to the Attorney-General to attend the trial. I said that I thought it was the Attorney-General's business to attend the Governor, and not the Governor's to be always writing after him. Walrond then said that the Governor represented Captain Arthur to Admiral Nevill as a man fit to serve the King, and Arthur should say the Governor dared not prosecute him for he could say worse of the Governor; and that when the Governor was told of it he took no notice. I replied that I believed the Governor had no motive to favour treason in any man, nor could I imagine how he could be under any obligation to Arthur, and that if he had in clemency done any act of compassion it could not be out of disloyalty. Walrond said that he would not give a pipe of tobacco for the Governor's Commission, that he did not aim to be Governor, and meant to go home. 1 *p.*

1,817. II. Summons for Edward Walrond to appear before the Governor and Council of Antigua, 27 July, 1697. *Copy. Scrap.*

1,817. III. Edward Walrond's apology in answer to Lawrence Crabb's depositions. It is sufficiently well-known that the Governor denied his warrant three several times to Justice Duncombe to bring the witnesses ashore that he might bind them to prosecute Captain Arthur. Justice Duncombe has pleaded this in his own defence, to save himself from being fined by the Court. I told Mr. Yeamans that I heard the Governor recommend Captain Arthur to Admiral Nevill. Mr. Yeamans then said, "The Governor forgot that Captain Arthur cannot sail "until he has stood his trial for using seditious language." Henry Walrond told Governor Codrington that Captain Arthur did say that the Governor dared not prosecute him, and that he could say as bad or worse of the Governor. I heard this from Colonel Williams, Mr. Parsons and Captain Bugden, who were all present at the time. I do think that the Governor should have ordered the Attorney-General or, since he was absent, someone else to represent the King at the trial, or at least to have directed the Court to suspend the trial of Arthur till the witnesses should be forthcoming. I utterly deny the last words ascribed to me, and can bring four gentlemen of credit to prove that I did not use them. When the cases of Mr. Weaver and Colonel Hill are as well-known in England as they are here, my proceedings will not be misunderstood. 1 *p.*

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1,317. iv. Order for the apprehension and detention of Edward Walrond until he shall give sufficient security to answer for scandalous and opprobious words at next Grand Sessions, and meanwhile to be of good behaviour. 1 Sept., 1699. *Copy. Scrap.*

1,317. v. Copy of a Message to Governor Codrington from the Assembly of Antigua, offering him a representation of the sincere affection of the house towards him, in spite of the base manner in which his character has been lately traduced.

1,317. vi. Address from the Assembly of Antigua to Governor Codrington, 27 July, 1697. A very long, verbose production, purporting to show that disloyalty to the Governor is contempt of the King, and that General Codrington is the best of all Governors, as well as the most successful of all sugar-planters, and that he never requires a present from the Assembly like Governors in other places. 2 *pp.* [*Board of Trade.* Leeward Islands, 5. *Nos.* 54, 54 i.-vi.]

Sept. 11. Jamaica. **1,318.** Governor Sir William Beeston to Council of Trade and Plantations. My last was by H.M. Ship Southampton, which sailed on 15 August. For want of the bills, drawn from hence for the victualling and repairs of ships, being paid in England, the merchant have forborne to give credit for those supplies. I called them together at Port Royal and used all the arguments I could, but to no purpose. Their answer was, that their bills for money above two years since were not paid nor was there any appearance that they would be, that they lived by turning their stocks and therefore could not be out of their money for so long for nothing and upon such uncertainties. I then tried the Jews, whom I found not wanting of the same advice, for they also refused absolutely. The Treasury owing to the war is near £5,000 in debt, and for my own part I have borrowed money, so that I know not how again to supply the ships. I am out of it too for over two years, and am written that there is no appearance when I shall have it. In this strait I sent for the Council and proposed to them that there was no way left—that the King's service must suffer dishonour, his ships be laid by and his men turned loose to gain their livings as they could unless they, the Council, thought it advisable for me to call in £1,000 of the subsistence-money for the soldiers and apply it to the victualling of the ships. To this they unanimously gave their approbation, thinking it much better so to employ the money than let the ships be laid up and perhaps lost. I begged therefore that this may be approved, or that I may have credit for the ships to enable me to return it to the soldiers' fund. The island is very healthy and has continued so throughout the hot season which is now over, so we hope that the distemper which has appeared at every hot season for the last seven years is now departed from this island, for no place can be more healthy than this is now and has been for a year past. The French now give us but little trouble, their privateers being much wasted and carried away by Vice-Admiral Nevill's fleet, so that unless a force be sent from France we

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are under no apprehensions from them; but we want supplies of provisions, clothing, tools and all necessaries, as well as shipping to carry away our produce; for all things are excessive dear yet, the people cannot sell their produce because there are not ships to carry it away, and the King thereby loses much customs. If you would lay the Engrossing Act before the King for approbation it would be a manifest kindness to the island as well as an increase to the revenue, which is too low to support the Government. *Signed*, Wm. Beeston. 1½ *pp. Endorsed*, Recd. 23rd. Read, 24th Dec., 1697. [*Board of Trade.* Jamaica, 8. *No.* 70; *and* 56. *pp.* 167-169.]

Sept. 13. Transport Office.

1,319. Captain Samuel Atkinson to William Popple. In the absence of my brethren I received yours of the 8th, but the letter enclosed for Colonel Gibson could not be sent by the transport-ships, which sailed on the 29th ult. I can hear of no other ship bound to Newfoundland. *Signed*, Saml. Atkinson. ½ *p. Endorsed*, Recd. Read, 16 Sept., 1697. [*Board of Trade.* Newfoundland, 3. *No.* 86.]

Sept. 13. London.

1,320. Henry Hartwell to William Popple. Enclosing his answer to several queries put to him by the Board of Trade and Plantations. *Signed*, Hen. Hartwell. ¼ *p. Enclosed*,

1,320. I. A list of thirty-seven queries propounded by the Board of Trade. 2½ *pp.*

1,320. II. Answers to the above queries. (1) Are the lands in Virginia patented in large or small tracts?—In both. (2) How come the patentees of large tracts by so many rights, since by the Constitution the limit is fifty acres for every person imported?——Rights may be purchased of the Secretary's Clerks, it being thought not prejudicial to anyone, and advantageous that the land should be liable to pay quit-rents. (3) What seating or improvement are they obliged to make on their land?—They are obliged within three years to seat or plant thereon. Building a house and keeping a stock on the land for one whole year is accounted seating; clearing, planting and tending an acre of land for one year is accounted planting. Either of these fulfil the condition of the patent. (4) What quit-rents are paid, and how are they collected and accounted for?——One shilling is to be paid yearly for every fifty acres; it is paid in tobacco at one penny *per lb.* The Sheriff is empowered to collect it, receiving 10 *per cent.* salary. He pays it to the Auditor, who has 7½ *per cent.* for selling and receiving the quit-rents. The Auditor, I understand, sends accounts to Mr. Blathwayt, Auditor General of the Plantations. There is great concealment of quit-rents, chiefly by the granting of vast quantities of land to the richer inhabitants. Some hold fifty or sixty thousand acres, by whom the Sheriffs are so overawed that they take their accounts as they themselves would have it. (5) For what causes does land lapse and escheat, and how is it disposed of?——If land be not planted and seated within three years it is

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granted by the Governor and Council to the first petitioner, on his producing a certificate of rights from the Secretary's office. In the case of lands of deceased aliens, heirless persons or intestates, the person in possession on petition to the Governor obtains a grant of escheat and pays a composition of 2*lbs.* of tobacco *per* acre to the Auditor. The Escheator, who is one of the Council, has a fee of £5 for returning an inquisition of the same. (6) What are the most proper places in Virginia for towns and ports?—I think that the General Assembly should decide the places for towns and ports, limiting them to at most one on each river, the population being too thin at present for more. To facilitate the making of one principal town and for divers other conveniences, it would be well for the public officers to be compelled to have their ordinary residence there, and that a house should be built for the Governor, which the Assembly would readily do if it could apply the £150 a year, now allowed to the Governor for house-rent, toward the building and keeping in repair of it. The principal officers should also be ordered to live there. Middle Plantation, where the College is built, would well answer the requirements for the site of a principal town. (7, 8) Is the Country well peopled, and if not for what cause?—Virginia is very ill-peopled, the number of men over sixteen and of negro women (who are reckoned titheables) being under 20,000. The causes are the engrossment of great tracts of land, and the want of towns. (9) The names of the Council and their service on the Council are as follows: Ralph Wormeley and Richard Lee, about 21 years; William Byrd, 15 years; Christopher Wormeley 13 years; Edward Hill, 8 years; Commissary Blair, 8 years; Daniel Parke, 2 years; Richard Johnson, Charles Scarburgh and John Lightfoot have been added since I left Virginia. (10) What is the procedure in Council?——The Governor proposes matters to the Council who have all along held the places of profit in the Country by the Governor's gift, which, I have always observed, has restrained them from due freedom of counsel and debate. (11) What is the form of suspending a Councillor?——But one member was suspended while I was in the Council; and it was done without any process in writing. (12) Are the Governor's instructions communicated to the Council?—The body of the instructions was not communicated while I was a Councillor, but on occasions the Governor would read extracts as he thought convenient. (13) As to the salaries and places of profit held by Councillors?—The settled salary of a Councillor by law is £350 a year, paid out of the revenue of the two shillings *per* hogshead and proportioned by the Governor among the several Councillors according to their

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attendance at General Courts and Assemblies. The places of honour enjoyed by the Council are three: they form the Upper House of Assembly, they sit with the Governor as judges of the General Court, and they hold the chief military command in the several Counties. Their places of profit are five. The Secretary's place is worth £400 or £500 a year, arising from fees and perquisites. The Secretary holds his Commission from the King but is generally recommended by the Governor. The Auditor's place is worth £300 or £400 a year, arising from 7½ *per cent.* on quit-rents, and on the duty of two shillings *per* hogshead, fines, forfeitures and escheats. The Auditor is appointed in England on the Governor's recommendation. Escheators are usually nominated from the Council by the Governor; their profits are uncertain. Collectors of the two shillings *per* hogshead duty receive 10 *per cent.* thereon. Naval officers receive fees for entering and clearing of ships. All these places of profit, except the Secretary's and Auditor's, are in the Governor's gift and held during his pleasure. (14) Are all Orders of Council fairly drawn and read in Council?—Not when I was in Council. The Clerk took minutes which were not fairly drawn nor read. (15) As to the Constitution of the Assembly?—The Council forms the Upper House; the Lower House consists of two members for each county and one for James City, elected by the freeholders. (16) The Governor commonly sits in the Upper House and manages their consultations and debates. (17) As to the summons of Assemblies?—— The Assembly is convened by the Governor with the advice of the Council once a year, or as they find occasion. (18) As to the General Assembly's means of representing grievances?——The Assembly having no power of themselves to raise money cannot in their public capacity represent their grievances to the King without the Governor's consent. (19) As to the collection, receiving and accounting for money voted by the Assembly?——The Governor names Collectors of all money voted by the Assembly, which is paid to the Auditor. The General Assembly has the examination of accounts. The Burgesses claim the right of naming a treasurer of their own, which being denied to them makes them suspicious and unwilling to raise money. (20) Who are the judges?——In every County are eight or nine justices of the peace, commissioned by the Governor (with advice of the Council) to hold monthly Courts for trial of all causes (above 200*lbs.* of tobacco), life and limb excepted. They are mixed Courts of common law, chancery, admiralty and spiritualty, and appeals lie from them to the General Court. (21) The General Court consists of the Governor and Council who try all causes exceeding £16 sterling or 1,600*lbs.* of

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tobacco, also all appeals from the County Courts. It likewise is a mixed Court. (22) As to the last appeal in the Country?——This formerly lay from the General Court to the Assembly who at that time chose a committee of Council and Burgesses (in which the Burgesses made treble the number), but this was taken away in Lord Culpeper's government, so that the only appeal is to the King in Council and that only for causes exceeding £300 value. (23) Are the Judges sworn?——The judges of the County Courts are sworn to do justice, but not those of the General Court. (24) As to the privileges of Councillors in civil causes?——Councillors cannot be arrested by a common writ like other men. I know no means to make them answer a cause in the County Court; but in the General Court the Secretary writes to the defendant, being a Councillor, summoning him to appear to answer an action on such a day, which letter is directed to the Sheriff. If the gentleman does not appear on the appointed day the action ceases. (25) As to the proceedings in the Courts as compared with English Courts?——The forms are very defective. The same Court takes cognizance of all sorts of causes, which is very different from England. (26) As to the names, duties and fees of naval officers?——The naval officers in 1695, were, Edward Hill, Upper James River; John Lear (since dead), Lower James River; Edmund Jenings, York River; Ralph Wormeley, Rappahannock River; Christopher Wormeley, Potomac; Charles Scarburgh, Eastern Shore. Their duties are so much mixed with those of Collectors as to be not easily distinguishable. I know nothing of their fees. (27) As to the Collectors and their fees?——The same persons are Naval Officers and Collectors. They have 10 *per cent.* on their receipts and several fees. (28) The places of Collectors and Naval Officers are in the Governor's gift and held at his pleasure. (29) As to the convenience of the offices of these officials and their performance of their duties?——I can't say that they keep any offices. Some of them live very inconvenient for the performance of their duties, and some have deputies, but give no constant attendance. (30) As to the choice and swearing of Deputies?——The Collector chooses his own deputy. I do not know if he be sworn. (31) What are their fees?——The fees are fixed by local law: for vessels of twenty tons and under 15*s.* 6*d.*, for vessels over 20 tons 30*s.*, for a coasting cocquet 1*s.*, for a cocquet for every mark in a bill of lading 1*s.*, for Virginia ships' entry 2*s.* 6*d.*, licences to trade, clearings and bonds, each 2*s.* 6*d.* (32) As to audit, deposit and issue of the money?——The Collectors swear to their accounts before the Governor, which are then passed to the Auditor who receives the money, and issues it on the Governor's warrant. (33) As to the buyers and sellers

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of the King's quit-rents; as to the receipt and disposal of the money?——The Council commonly buys the convenient quit-rents, and of late, as I have heard, the Governor. The Auditor, I believe, advises with the Governor about selling them; the money is lodged in the Auditor's hands and is issued by warrant from the Lords of the Treasury. (34) Who inspects the accounts of revenue before they are sent to England?——They were brought to Council, but I never saw them strictly examined. (35) Who collects the penny *per lb.* duty? ——The Collectors of the two shillings *per hogshead* collected it when I was in Virginia. (36) Do the exporters of tobacco to the plantations pay the penny *per lb.* in money, or in what manner?——They rarely pay in money. They agree with the Collector as well as they can how much a hogshead is to weigh, and pay in tobacco at 1*lb.* of tobacco for a penny. This was by Lord Howard's direction. (37) From what other inconveniences does Virginia suffer and what is the remedy? ——Suspension of Councillors should be by process in writing, and the matter should be judged of in England before suspension is executed in Virginia. The body of the Governor's instructions should be communicated to Council. The Judges of the General Court should be a few men learned in the law, and an appeal should lie from them to the General Assembly as formerly. The accounts of the revenue should be laid before the Burgesses before transmission to England. Quit-rents should be sold by public outcry after public notice given. The true estimate of the tobacco taken for the penny *per lb.* should be according to the price of quit-rents in the County from which it is exported. 8 *pp. Endorsed*, Recd. and Read, 14 Sept., 1697. [*Board of Trade.* Virginia, 6. *Nos.* 30, 30 I.-II.; *and* 37. *pp.* 90-109.]

Sept. 13. **1,321.** Journal of Council of Trade and Plantations. Order for a copy of the last proposals of the Company for working mines in New England to be sent to the Agents of Massachusetts, for their opinion as to their effect upon New England.

Order for the Agents of the West Indian Islands, Maryland and Virginia to bring in or send their proposals as to convoys.

Sept. 14. Order for the Secretary to direct Mr. Nicoll to send a distinct account of the things that he thinks necessary for the two Indians on ship-board for their determination.

The Secretary's letter to Mr. Lowndes of this date approved.

Colonel Hartwell's letter of 13th with answers to the queries sent to him, was read (*No.* 1,320).

Sept. 15. An Order in Council of 26 August on a petition of Sir Thomas Laurence being left yesterday by his solicitor, it was ordered that the solicitor produce a copy of Sir Thomas's patent as Secretary of Maryland.

Sept. 16. Order for Mr. Day's commission and instructions to be laid before the Lords Justices.

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Captain Samuel Atkinson's letter of 13th inst. read (*No.* 1,319). Several packets from the Plantations were received and opened.

Sept. 17. Mr. Nicoll presented two accounts of expenses for the two Indians placed under his charge (*No.* 1,327). Order for a letter to the Commissioners of Sick and Wounded to pay the New York Agents £50, on their producing a certificate that the Indians are embarked, together with the provisions necessary for their voyage.

Governor Goddard's letter of 29 June, and Sir Edmund Andros's letters of 1 July read.

Order for Mr. Edward Chilton to be summoned to the Board on Monday; and that a set of all the Virginian laws belonging to Mr. William Bird of Lincoln's Inn be borrowed, if possible, from him. [*Board of Trade.* Journal, 10. *pp.* 253-262.]

Sept. 14. Whitehall. **1,322.** William Popple to William Lowndes. Acknowledging his letter of 8th inst., with the report on the petition of the Proprietors of New Jersey; and forwarding for the information of the Treasury copy of an instruction respecting the trade of New York and the Jerseys, which has been given to every Governor of New York in succession since the province has belonged to the Crown of England. [*Board of Trade.* Proprieties, 25. *pp.* 148-149.]

Sept. 14. Whitehall. **1,323.** William Popple to William Nicoll. Asking him for a distinct account of all particulars required for the accommodation of the Indians that he is to take back with him to New York. [*Board of Trade.* New York, 52. *p.* 260.]

Sept. 14. Whitehall. **1,324.** William Popple to the Agents of the Colonies in England. Asking for their proposals in writing of what they and the merchants concerned in their Colonies desire in relation to convoys during the ensuing winter. [*Board of Trade.* Plantations General, 34. *p.* 179.]

Sept. 14. Whitehall. **1,325.** William Popple to the Agents for Massachusetts. Asking their opinion whether certain heads for a charter, enclosed, for a corporation to work copper-mines in New England and bring naval stores therefrom, will be prejudicial to the Colony. [*Board of Trade.* New England, 36. *p.* 301.]

Sept. 14. **1,326.** Minutes of Council of Massachusetts. Order for payment of £1,605 to the Commissioners of War for provisions and clothes for soldiers and seamen. Intelligence being brought from Major John March of a successful engagement with 200 Indians, it was resolved to send a further expedition to York to follow up the enemy.

Sept. 15. Order for payment of £10 for the expenses of Captain Nathaniel Byfield and the gentlemen who accompany him on his journey to York, and of £10 to the Minister of the garrisons in Barwick parish. [*Board of Trade.* New England, 49. *pp.* 119-120.]

Sept. 17. **1,327.** Account of disbursements for the two Indians captured at Hudson's Bay. Total, £127 5*s.* 6*d.* Received on account £100. Balance due £27 5*s.* 6*d.* ½ *p.* *Endorsed*, Recd. Read, 17 Sept., 1697.

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A particular account of the same.

	£	s.	d.
6 sea shirts	1	10	0
6 other ,,	2	5	0
6 sea-handkerchiefs		9	0
6 neckcloths		18	0
6 pair of stockings	1	1	0
6 pair of shoes	1	7	0
3 sea-beds and pillows	3	6	0
3 blankets	1	2	6
3 rugs	1	2	6
1 hat		7	6
1 wig	1	0	0
3 pair of gloves		4	6
2 watchcoats	2	0	0
3 knives		3	0
2 sea-chests	1	0	0
2 combs		1	0
Brandy	3	0	0
A case	1	10	0
Sugar		12	6
Tobacco and pipes	2	0	0
Money for their subsistence from the 12th inst., passage to Portsmouth and getting them on board, with other incidents, not less than	12	0	0
	£36	19	6

1 *p. Endorsed,* Recd. Read, 17 Sept., 1697. [*Board of Trade.* New York, 7. *Nos.* 44, 45; *and* 52. *pp.* 272, 273.]

Sept. 18. Tonbridge Wells. **1,328.** Sir Henry Ashurst to Council of Trade and Plantations. I have received from Mr. Popple the heads of a charter of incorporation for a company to work mines and produce naval stores in New England. These propositions were made to Kings Charles II, James II and our present King, and after due deliberation were laid aside. There is an answer from Massachusetts thereto in your office, but if you have any new reasons for granting such a charter the merchants in the city trading to New England will answer them. Commissioners are just starting to New England to report on the whole subject of naval stores and to send home specimens; and Lord Bellomont will take care to further this design to the utmost. I am here drinking the waters, but think this matter so important that I shall return to London on Tuesday. *Signed,* Hen. Ashurst. 1 *p. Endorsed,* Recd. Read, 20 September, 1697. [*Board of Trade.* New England, 8. *No.* 123; *and* 36. *pp.* 301-302.]

[Sept. 18.] **1,329.** Articles of agreement concluded between Governor Dongan of New York and the Governor and others of Connecticut on 28 November, 1683, for delimitation of the boundary between the two provinces. *This concerns the encroachment of Connecticut on the New York towns of Rye and Bedford. See* Governor Fletcher's

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letter of 22 June, *No.* 1,098. *Copy.* 2½ *pp. Endorsed,* Sent to the Secretary by Mr. Nicoll. Recd. 18 Sept., 1697. [*Board of Trade.* New York, 7. *No.* 46; *and* 52. *pp.* 274-277.]

Sept. 18. **1,330.** Minutes of Council and Assembly of Antigua. Message from the Assembly pressing for the Council's answer to their proposals of 2 August as to the Treasurer's accounts. The Lieutenant-Governor, Council and Assembly agreed to enlarge the powers of the Committee in respect of these accounts. On the proposal of the Council the Assembly agreed that the soldiers of Holt's company be billeted for three months longer. Message of the Assembly asking the Council to examine the Commission given by the Governor to Philip Browne to be Treasurer, since the Lieutenant-Governor, Council and Assembly have appointed Azariah Pinney to that office. It was agreed to pay compensation to owners of negroes that may be lost or injured while cutting *lignum vitæ.* Message from the Lieutenant-Governor that he had asked for H.M.S. Jersey to be spared to protect the cutters of *lignum vitæ* from privateers. A proposal for an Act to amend the Negroes Act was deferred by the Assembly for further consideration. [*Board of Trade.* Leeward Islands, 64. *pp.* 429-432.]

[Sept. 20.] **1,331.** Robert Snead to Sir John Houblon. I am sorry for the occasion that makes me write to you. On the 10th of August, 1696, a proclamation came to my hands and another to Mr. Penn's deputy, William Markham, who took no notice of it. I thought it my duty as a subject and a magistrate to prosecute the purport, which was to apprehend Henry Every *alias* Bridgman and the rest of the rogues who ran away with the ship Fancy and committed several piracies in the Rattan seas. I at once went to the Governor and told him that several of Every's men were here, well known to him and to all persons. He said he knew it not. I told him here was enough to prove it, and that if he did not apprehend them I did not know how he could answer it. He said he would venture that; why had not the Houblons, whose ship it was, sent to him about it? if people came here and brought money he was not obliged to ask them whence they came. I told him that those who had suffered losses by these rogues could do no more than they had done by procuring the proclamation of the Lords Justices, and therefore that in my opinion he needed no further direction. He refused to hear the proclamation when I offered to read it to him, but seemed very angry, so I left him. No sooner was I gone than he sent and acquainted the pirates with what had passed between us, and they by his encouragement impudently called me informer, though I saw Governor Markham trying to stifle it. We all knew he had a great present made to him and his family by them and others of the same crew though not in the same ship, which they sank or burned. I thought it my duty to apprehend them and called upon two of my fellow justices to join me, who knowing the Governor's inclinations at first refused, but on my threatening to send to England if they did not, at last consented. Three of the pirates were brought before us and there was sufficient proof that they belonged to the Fancy. I ordered them to be sent to gaol, but one of my fellows went to the Governor, and he and the others were for

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bailing them, which they did, though I declared against it, and one pirate for another; but, some weeks later I heard from England that the factories, in which you and several others are concerned, were seized on and likely to be damaged by these rogues. I then seized them again, and enclose their examinations. My *mittimus* was to keep them close prisoners. The Governor was much displeased at me, called me before his Council and asked what I had against those pirates to hinder their discharge. I told him there was proof enough that they were Every's men, and had the proclamation read. The Governor would have had them join him in clearing them out of prison, but they told him that they should be sent to England, and offered to pay the expenses if he sent them. This he refused to do, and dismissed them. I then issued my warrant to apprehend the old pirates before mentioned, who I was told had brought here £1,000 each man and given £100 each to the Governor. I am but a stranger here, having moved my estate and family from Jamaica two years ago, but I am ashamed to see such rogues encouraged. They ran away from Jamaica with a ship, went to the Persian seas, and took and murdered many. A princess, who was given in marriage to a great man, was on her way to him by sea when they took the ship; they killed most of the men and threw her overboard. They brag of it publicly over their cups. When the Governor heard that I was going to apprehend them he sent for me, threatened to send me to gaol and dared me to do it, telling me I should not frighten people with my warrant, I had done too much already. He abused me very much, and caused my arms (which I wear for defence against these rogues) to be taken from me. He has lately given commissions to other such rogues. One Day came with a large ship full of sugar and indigo to Carolina, sold the cargo, laid the ship up, bought a vessel for piratical purposes and came here. The Governor gave him a commission, and they are gone on their errand, as they themselves own. On the 16th inst. I received from his Excellency a copy of a letter from the Council of Trade ordering the apprehension of all these pirates. I understand that the Governor had one directed to him and also the proclamation, to be published forthwith. But he did not do so until he had warned the pirates, who made their escape, those in gaol as well as those without, which shows pretty clearly that it was by consent. Next day the proclamation was published. Several people came to tell me where the pirates were hidden in the town, and I went to the Governor for a warrant for a special force to take them; but none was issued, so that that all people see how Arabian gold works with some consciences. A gentleman at the same arrived from England and told me that one of the Council of Trade was concerned. He desired the Governor that the pirates in prison might be better secured, and a guard set over them, and that Every's men might be sent home in one of the King's frigates then in Virginia. No guard was set on them, so that the same night two of them got away. He then asked to take the other man to the frigate, but was refused. The gentleman's name was Robeson, a man of pusillanimous spirit, who was frightened by the Governor. Several of these men have purchased estates here, and if you will procure me a commission and direct that, as the proclamation says, those that shall assist

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shall be paid out of the estates, I will undertake to seize them all and their estates. Please take care that the commission be so firm that the Governor cannot upset it, and I will do my part faithfully. When I first came here I wrote to some relations of mine to inform Sir Josiah Child about it, but have heard no more. Do not think that I propose it for my advantage, for I have a competent estate, but for the public good, and that these parts may no more be a receptacle for these rogues. If you wish to make use of me, address me at my Plantation near Philadelphia. *Signed*, Robt. Snead. 3½ *pp. Endorsed*, Recd. Read, 20 Sept., 1697. *Annexed*,

1,331. 1. Examination of Peter Claus, Robert Clinton, and Edmund Lacel, formerly of the ship Fancy. 1½ *pp. Inscribed*, This was their examination though much in favour of themselves. I have proof more nearer the truth than this. Robt. Snead. [*America and West Indies.* 599. *Nos.* 31, 31 I.]

Sept. 20. Admiralty Office. **1,332.** William Bridgeman to William Popple. The Admiralty desire to know whether the Council of Trade are considering, since the conclusion of peace, the propriety of making some alterations in the number and rates of the men-of-war which attend the Plantations. *Signed*, Wm. Bridgeman. ½ *p. Endorsed*, Recd. Read, 21 Sept., 1697. [*Board of Trade.* Plantations General, 4. *No.* 66; *and* 34. *p.* 180.]

Sept. 20. **1,333.** James Vernon to Council of Trade and Plantations. I enclose by order of the Lords Justices a petition from John Dudgeon for your report thereon. *Signed*, Ja. Vernon. ¼ *p. Endorsed*, Recd. Read, 22 Sept., 1698. *Enclosed*,

1,333. 1. Petition of John Dudgeon to the Lords Justices of England. Asking to be appointed Secretary and Provost Marshal of Bermuda, having lived there for several years and served in the office of Secretary. ½ *p. Endorsed*, Recd. Read, 22 Sept. [*Board of Trade.* Bermuda, 3. *Nos.* 16, 16 I.; *and* 29. *pp.* 46-47.]

Sept. 20. **1,334.** Journal of Council of Trade and Plantations. Mr. Edward Chilton attending gave information of the habit of engrossing land in Virginia and of the malpractices attending thereon, of the privileges of the Councillors and their abuse thereof, and of divers other matters in the Colony.

Mr. Brooke was directed to call to-morrow for an order for the money for the expenses of the two Indians, and the Secretary at the same time wrote a letter to Captain Culliford respecting the matter (*No.* 1,337).

Sir Henry Ashurst's letter of 18th inst. read (*No.* 1,328).

A letter from Mr. Robert Snead to Sir John Houblon (*see No.* 1,331) complaining of Governor Markham of Philadelphia was read. Ordered that Colonel Robert Quarry attend on Wednesday next.

Sept. 21. Letter to Lord Bellomont about the dispute between Rhode Island and Connecticut signed, also the letters concerning the two Indians.

Mr. Bridgeman's letter of 20th inst. read (*No.* 1,332).

The Council proceeded with the reading of the Virginia papers.

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Sept. 22. Order for a representation to be drawn concerning the engrossing of land in Virginia.

Order for the Agents of the West Indian Islands to give notice as to the men-of-war that they think necessary to attend those islands in time of peace.

Colonel Robert Quarry attending, gave in a memorial (*No.* 1,338). He then gave an account of the pirate Day and of his victualling his ship in Pennsylvania, and of other pirates entertained and protected there. He then said that he was unwilling to undertake the duties of Judge of Admiralty without a salary, and made a proposal of his own for suppression of illegal trade.

Mr. Vernon's letter of 20th inst. with Mr. Dudgeon's petition read. Being called in, Mr. Dudgeon said that he had been for some time in Bermuda, employed chiefly as Mr. Neale's agent for treasure trove. He added that the Secretary's office, worth about £150 *per annum*, was now at the King's disposal. He was ordered to bring up what further certificates he could.

Sept. 23. Order for Lieutenants William Ockman and Isaac Young, of the Royal Navy, to attend on Monday next.

Sept. 24. Mr. Gilbert Heathcote presented a memorial concerning men-of-war to attend Jamaica in time of peace (*No.* 1,343). Being asked what was the use of the ships, he said that the fourth-rate was required to convoy negro-ships to Carthagena and Porto Bello, and the sixth-rate to check pirates; but that he hoped the peace would be sufficient to ensure the safety of convoys. A memorial of the Agents of the Leeward Islands on the same subject was read (*No.* 1,344). The Secretary received his orders for a reply to Mr. Bridgeman's letter of 20th (*No.* 1,346).

The Attorney-General's report of 12th August on the laws of Maryland was read (*No.* 1,246). Order for the laws to be returned to him for his opinion upon the whole of them. [*Board of Trade.* Journal, 10. *pp.* 263-278.]

Sept. 21. Whitehall. **1,335.** Council of Trade and Plantations to the Earl of Bellomont. Since our letter of 26th ult. we have heard from Governor Fletcher, in a letter of 22 June, of a difference between New York and Connecticut respecting the towns of Rye and Bedford (*see No.* 1,098).

This difference, attended with such irregular proceedings as he reports, seems to us of pernicious consequence. We recommend you to enquire into the grounds of it, and if there be any doubt about the right of Government over these towns to send us such a state of the claims on both sides as may enable us to submit the case for the King's decision. *Signed,* Phil. Meadows, Jno. Pollexfen, Abr. Hill, George Stepney. [*Board of Trade.* New York, 52. *pp.* 277-278.]

Sept. 21. Whitehall. **1,336.** Council of Trade and Plantations to the Commissioners for the Sick and Wounded. Ordering them, on receipt of a letter that the two Indians and their provisions have been received on board H.M.S. Fowey, to pay to the New York Agents £50 in full of the whole charge of the said Indians and their interpreter. *Signed,* Phil. Meadows, Jno. Pollexfen, Abr. Hill, George Stepney. [*Board of Trade.* New York, 52. *pp.* 279-280.]

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Sept. 21. Whitehall. **1,337.** William Popple to Captain Culliford, R.N. Forwarding copy of the articles to be provided by the New York Agents for the two Indians and their interpreter on their voyage to New York, and directing him to certify to the Commissioners of Sick and Wounded that the said supplies, as also the Indians and the interpreter, have been received on board his ship, H.M.S. Fowey. *Here follows a list of the articles given in No.* 1,327. [*Board of Trade.* New York, 52. *pp.* 280-281.]

[Sept. 22.] **1,338.** Robert Quarry to Council of Trade and Plantations. I lately came from Pennsylvania, where my residence has been for some years, and heard that you were considering the means of securing the trade of the place. I think it my duty to lay the following report and proposal before you. (1) No province in America is so well settled or blessed with such industrious people as Pennsylvania. It is matter of fact that two men and four horses will manage ground enough to produce 1,000 bushels of wheat, which at the country-price of four shillings a bushel is £200 a year, three times more than any of the other Colonies or Islands can produce. (2) The industry of this people is returned home for England in commodities which pay considerable custom. Thus the West Indies and several provinces are almost constantly supplied with some or all of the produce of this province, bread, flour, beef, pork, etc., without which they could hardly subsist. Indeed had not Pennsylvania supplied the Maryland and Virginia fleet with provisions the ships could hardly have proceeded on their voyage to England. (3) Great quantities of English manufactures are consumed in Pennsylvania, for the people have no leisure to supply themselves that way; and thus sugar and tobacco plantations, being supplied with provisions at a very reasonable rate, are not diverted from producing the commodities which bring so much to the King's Customs. (4) A great deal of tobacco is grown in the province, though not at present above a tenth of the rest of the produce. But when the trade is well secured the quantity made will be increased. It is therefore very desirable that so profitable a province should be encouraged and protected from pirates. (5) The only way to secure the trade and people is to have a small vessel of force constantly cruising between the capes of the bay to examine all vessels, whether outward or inward bound, for suppression of Scotch trade and other illegal traffic. To do this most effectually and cheaply I propose as follows. The Commissioners of Customs have already recommended the continuing of a small man-of-war in Delaware Bay to secure the trade of Pennsylvania and West Jersey. This vessel with wages, etc., will cost the King over £1,800 a year, and not answer the end. Also five Collectors have lately been settled in Delaware Bay with salaries of about £500 a year, all except one of whom are a useless charge to the King and of no security to the trade. I would propose to furnish the King with an armed ketch, well manned, rigged and found, keeping her cruising between the capes as I had said. The officers should give security, and will therefore expect the greater wages; and I also will bind myself under a penalty that no tobacco shall be carried out of the bay except what has been duly entered and cleared according to law. Delaware Bay

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is generally frozen for three months in the year. I would then propose that the ketch be employed in South Carolina and the Bahamas, where she may do good service. In consideration of this service I propose that I should receive £1,000 a year, good part of which may be paid me out of the penny *per lb.* in tobacco exported to other Colonies; and the salary of the useless officers to be dismissed will go a great way towards defraying the remaining expense of the whole undertaking. I am the more open with you as the Commissioners of Customs have recommended me as a Judge of Admiralty for West Jersey and Pennsylvania. I have received my Commission and am very ready to serve the King, but I hope that I shall not be expected to do the work at my own cost, besides the loss of time and expense of travelling some two hundred miles in both provinces. I beg therefore that you will accept my offer or the surrender of my Commission. I believe there are people who will accept it without salary and get enough by it, but I abhor getting money at that rate. *Signed*, Robt. Quarry. 2½ *pp. Endorsed*, Recd. Read, 22 Sept., 1697. [*America and West Indies.* 599. *No.* 32.]

Sept. 22. Whitehall.

1,339. William Popple to the Agents for Barbados, Jamaica and the Leeward Islands. The Council of Trade, having received no answer to my letter to you of 14th inst. (*No.* 1,324) desire (since the conclusion of peace) to be informed whether any of the King's ships of war, and what number, and of what force have formerly been appointed to attend your Island in time of peace, and what you now think necessary to be appointed for that service. Your answer is expected by Friday next. [*Board of Trade.* Plantations General, 34. *p.* 180.]

Sept. 22. Bermuda.

1,340. Governor Goddard to Council of Trade and Plantations. *Writes a duplicate in full of his letter of* 29 *June* (*No.* 1,122) *and proceeds.* I am sorry it is my ill-fortune to be Governor of Bermuda where there is nothing but faction and contention against a Governor. Since my last I have discovered a villainous design of Mr. Richier to break gaol and run away to Martinique. Some in these Islands were his confederates, three of them Members of Assembly and two of them Captains in the Militia. All this was discoursed to me on oath by the captain of the ship who was to have carried him off. I will send his affidavits at large by next conveyance. Mr. Trott gives out that he is going for England and will bring over a new Governor. He threatens me with a gaol upon his arrival, and I hear that he has sent to you a scandalous libel against me, frequently using the words illegal, arbitrary, "contemptious" and disloyal. All this proceeds from envy, hatred, malice and uncharitableness, for when he was last in England he could have accused me as well then as now. I may with confidence assert that such a rogue and villain is not in the habitable part of the world. I beg that I may not be condemned by such unheard, and that I may be called home to give a true account of the inhabitants of Bermuda. *Signed*, J. Goddard. 3½ *p. Endorsed*, Recd. Read, 28 March, 1698. [*Board of Trade.* Bermuda, 3. *No.* 17; *and* 29. *pp.* 111-112.]

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Sept. 23. **1,341.** Minutes of Council of Massachusetts. Order for a commission to be issued for the trial of an Indian for murder. [*Board of Trade.* New England, 49. *p.* 121.]

Sept. 23. Whitehall. **1,342.** Order of the Lords Justices of England in Council. Referring a petition from the Proprietors of East New Jersey to Council of Trade and Plantations for report. *Signed*, John Povey.

Petition of the Proprietors of East New Jersey to the Lords Justices in Council. Our privilege of ports granted to us by King James I. and confirmed by King Charles II. has been invaded by the Government of New York, which has brought vessels out of an harbour of Perth Amboy, forced them to go up to New York, and denies us the benefit of a port. We complained first to the Lords of the Treasury, who decided that the matter lay not within their cognisance unless referred to them by you. The ground of our complaint means not only our private ruin, but a public hindrance to the consumption of English manufactures. We beg that we may be heard before you, to the end that Lord Bellomont, who is ready to start, may be prohibited from disturbing our privileges of trade at Amboy. [*Board of Trade.* Proprieties, 25. *pp.* 150-153.]

Sept. 24. **1,343.** The Agents for Jamaica to Council of Trade and Plantations. In reply to your question as to the number of men-of-war formerly appointed to attend Jamaica in time of peace, we have always had a good fourth-rate and a sixth-rate at that island, and think it now an absolute necessity to have two such men-of-war attending always there. *Signed*, Bartho. Gracedieu, Gilbert Heathcote. ¼ *p.* *Endorsed*, Recd. Read, 24 Sept., 1697. [*Board of Trade.* Jamaica, 8. *No.* 71; *and* 56. *pp.* 129-130.]

Sept. 24. **1,344.** Memorial of the Agents for the Leeward Islands to Council of Trade and Plantations. In reply to your question what ships-of-war used to attend the Leeward Islands in time of peace, we answer that sometimes a ketch and at other times a small frigate has been employed, and has been found very serviceable to the Governor. It is now very necessary that there should be a small man-of-war again, and we beg that one small fifth-rate or sixth-rate be appointed for the service, under the orders of the Governor-in-Chief. *Signed*, Bastian Bayer, Joseph Martyn, Rd. Cary. [*Board of Trade.* Leeward Islands, 5. *No.* 55; *and* 45. *p.* 98.]

Sept. 24. **1,345.** Francis Eyles, Agent for Barbados, to William Popple. Your letters should have been answered before, were not Mr. Littleton and Mr. Bridges both out of town. Upon enquiry I cannot learn that any guard-ships have been granted for the service of Barbados in time of peace, but whether this be necessary or not I must ask for longer time to consider, until the other Agents return. *Signed*, Fran. Eyles. ½ *p.* *Endorsed*, Recd. Read, 27 Sept., 1697. [*Board of Trade.* Barbados, 7. *No.* 41.]

Sept. 24. Whitehall. **1,346.** William Popple to William Bridgeman. The Council of Trade desire you to know that they are considering what alterations it may be proper to make upon the conclusion of peace in the number and rates of the men-of-war that attend the several Plantations. [*Board of Trade.* Plantations General, 34. *p.* 181.]

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Sept. 27. Antigua.

1,347. Governor Codrington to Council of Trade and Plantations. Since my last I have made enquiry as to the Dutch pretensions to New "Thurtoloe" [Tortola], commonly known here by the name of one of the Virgin Leeward Islands, and can find no one in this Government that knows anything of their title to it or of their putting it under Sir William Stapleton's protection. All the old Councillors of Sir William Stapleton's time at Nevis are dead, and the present Councillors can give me no manner of account of the affair. I am apt to believe that the island might have been taken by Sir William Stapleton in 1672, for it could have been easily done since there have never been above ten or twelve families in it. Since I have been Governor and for some years before there has not been a soul upon it, nor has it cost the Crown of England expense to support or preserve it, though it is within my commission and within the commissions of my predecessors, and is situated thirty or forty leagues to windward of San Juan de Porto Rico. I know that the last family that ever lived there was that of one Thomas Biss, an English subject, who had Sir William Stapleton's commission as Governor to settle it. He attempted this by planting canes and making a sugar work, but no inhabitants came, and the Spaniards coming to an Island called Spanish Town, about three leagues to eastward of it, plundered the few people who were beginning a settlement. Those on Thertolen thereupon left it in discouragement and brought their negroes to Nevis and St. Christophers. All this happened at least twelve years ago, since which the Island has been deserted but for a man and his wife, who live there in the woods, breed stock, plant a little cotton and go fishing. His name is Jonathan Turner. I think that the settlement of this island by the Brandenburghers would be of ill consequence to the islands of my Government and to the trade of England, by the transporting of our produce thither in small vessels, which no diligence of the King's men-of-war could prevent. About thirty leagues to leeward of St. Christophers lies a group of innumerable small islands, ranging all along west southerly, within four leagues of Porto Rico. These are known as the Virgin Leeward Islands, the easternmost of which is called on the maps the Virgin Gard, and that nearest to Porto Rico, Crab Island. This is a fine large island, which has once or twice been attempted to be settled by some few deserters of the Windward Islands; but the Spaniards have always taken the inhabitants and carried them off as they did in 1687-1688, to the mumber of sixty odd souls. The next island to leeward of Spanish Town (or Virgin Gard) is this land of Thertolen, which is large enough to support eight hundred to a thousand families, will produce good cotton, indigo and sugar, and is well stored with lignum vitæ, white and red cedar and other good building timber. On the seashore is plenty of limestone, and on the island stone in plenty for building. It wants nothing to make an easy and good settlement but fresh water, which the people will supply by building cisterns. The Brandenburgers who have plenty of negroes, and those as fine choice slaves as arrive from the coast of Guinea (they now sell them at St. Thomas 30 *per cent.* cheaper than any of the Guinea Company's factors here or in Barbados) could, with such an island, by giving generous credit

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to settlers and parcelling out their land to them, attract many of our poorer inhabitants on these windward islands. Such men can buy no negroes here, so ill do our factories supply us, and the few negroes that come to us are sold at such dear prices that a poor man cannot be trusted with a negro, and if he is, all his industry for a year or two could not pay for him. In Thertolen, on the other hand, he would be trusted for much better negroes at a lower price, and for his better encouragement they would give him 9*d.* or 10*d.* the half-pound for his cotton, whereas in this Government his cotton sells for but 6*d.* This I know from experience, and will give you an instance even since the beginning of the war.

In February 1690 a well-known merchant of this Government was at Spanishtown, where there were then but fourteen men, a few women and three negroes. They made cotton, and carried that cotton in small canoes to St. Thomas's. There the Brandenburgh factors gave them threepence or fourpence a pound more than they could have made here, and sold them in return Dutch linens, to make their clothes, and able fine negroes, thirty *per cent.* cheaper than we can buy them here, giving them trust. These poor people are now grown to that number that in December last the same merchant visiting the island found fifty good men, well-armed, and their families, and seventy to eighty choice negroes. The islands are there so thick together that the people row to St. Thomas's, ten leagues distant, as in a river, so smooth is the water through the islands. I find already that the credit given to that small island of Spanishtown has drawn several of our inhabitants to settle there, which is a considerable weakness to us, now that we are so much weakened by sickness and our expeditions that the loss even of one good man is felt by us. And yet at the same time that island is so far to leeward and so inconsiderable that it is not worth while to have any regard to it. You may consider, too, the vast difference that there would be in this factory between its being kept under another Government (for it is now under the Danish Governor of St. Thomas) and its having an island for its own. Beyond all doubt having so good a stock in trade of excellent negroes they will encourage planters of every nation to come and settle there and become their subjects and ship the products to their nation. This would be a great disadvantage to the trade of the English islands, besides the temptation to our merchants to carry them sugar by stealth; for they will give a third more for it than it can sell for with us and pay for it ready money, or rather negroes, Dutch linen and dry goods, which they sell fifty *per cent.* cheaper than is afforded among us. To make such profits men will run great hazards. Thus I cannot but think that the settlement of this island by another nation would very much injure our trade. St. Thomas's for instance, being furnished with negroes by the Brandenburgers' factory has so greatly increased her product of sugar and cotton during the last eight years, that it has now 1,500 working negroes and seven sugar-works besides producing forty to fifty thousand weight of cotton yearly, which goes to Denmark and the Brandenburgers. Eight years ago it had but one sugar-work, made little sugar, had not above 300 working negroes, and made very little cotton. Doubtless it is from Mr.

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Vaubell's (the Brandenburg factor's) observation of the great sudden increase of the island, though its soil is very barren compared with that of our islands, which puts him upon representing the advantage of their having an island of their own. I was told that the Brandenburgers were coming with the design of settling Crab Island, and thereupon obtained the King's order to prevent any such settlement. Since then they may have bought Thertolen, and with the King's leave would, I doubt not, soon make a vigorous settlement, which would damage our trade as I have said. There are however many merchants and planters who would welcome the settlement of Thertolen by the Brandenburgers for the convenience of obtaining negroes at cheap rates. In the last eight years we have not had in all this Government a thousand negroes imported from Guinea nor from elsewhere, except what we took at the reduction of St. Christophers and what our privateers have taken off the enemy's islands; whereas this Government would buy from 1,000 to 1,200 negroes a year, if they would, which would encourage planting and increase the revenue.

Since my last we have lost the best of our privateer brigantines, which by some sad accident was blown up on the very night when she sailed. Not a soul of near fifty men on board has escaped except one negro, who after being three days at sea upon a board got to St. Bartholomews, and from thence came here to give us the account. A week later one of our privateer sloops was taken by the enemy by surprise, and since then we have lost two more, our best sailing sloops, and one of them the best privateer we had. Thus in six weeks we have received greater loss in our vessels fitted for privateers than we have received in all the war, insomuch that I cannot now injure the enemy as I used. There are now only two vessels proper for privateers in all the Government, which makes me beg you to procure that some assistance may be immediately despatched to us. The enemy's privateers keep us on continual watch and guard, for they know that at present I have only one small man-of-war, and she at present in port for want of stores and victuals, which are so scarce here that I fear I shall not get her to sea again until a supply arrives from home. *Signed*, Chr. Codrington. 2½ *very closely written pages. Inscribed with a short abstract. Endorsed*, Read, 7 Dec., 1697. [*Board of Trade.* Leeward Islands, 5. *No.* 56; *and* 55. *pp.* 114-126.]

Sept. 27. **1,348.** Journal of Council of Trade and Plantations. Mr. Eyles's letter of 24th inst. read (*No.* 1,345). The laws of Barbados with the Attorney-General's report of 3rd inst. thereon (*Nos.* 1,300, 1,301) were read, and a representation agreed upon.

Order in Council of 23rd inst. with a petition of the Proprietors of New Jersey read (*No.* 1,342). The Proprietors, attending, were told to bring their charter or whatever other title they had, upon which their right to have ports was grounded.

Sept. 28. The Council considered the employment of the poor in England.

Sept. 30. Captain William Holman asked for a copy of the accounts of his expenses in the defence of Ferryland, which was granted to him.

Sir William Beeston's letter to Mr. Blathwayt of 12 June read (*No.* 1,080). Order for the Secretary to look out what has been done about Colonel Peter Beckford's dormant commission.

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Two letters from Mr. Orth as to the proceedings of the Scotch East India Company at Hamburg were read.

A certificate on behalf of Mr. Dudgeon was read (*No.* 1,356). The Council agreed as to its representations on the subject.

Oct. 1. The Secretary reported what had been done in the matter of Colonel Beckford's dormant commission. Representation thereupon agreed on.

The representation as to Mr. Dudgeon was signed (*No.* 1,360).

Lieutenants Ockman and Young attending gave information as to the entertainment of pirates in Pennsylvania, Lieutenant Ockman saying that his proceedings against Day were so much resented that when he visited Newcastle four or five months later the people threatened to imprison him. They produced their commissions for their expedition and said that they found that Day had a commission from Governor Markham to fight a French privateer of thirty guns, while Day's ship had but four; they supposed that their proceedings spoiled Day's design of going to the Red Sea. They also reported that several of Every's crew were known to be at Pennsylvania.

A list of papers received yesterday from Maryland was laid before the Council.

Memorial of the Proprietors of New Jersey read (*No.* 1,358). The Council decided that they could not determine that question without a sight of the original grant, which was not among the papers sent. [*Board of Trade.* Journal, 10. *pp.* 278-293.]

Sept. 28. Whitehall. **1,349.** William Popple to the Attorney General. Pressing him to despatch the examination of the laws of Maryland with all speed, as the Council cannot deal with the later laws until they have received a report upon the earlier. [*Board of Trade.* Maryland, 9. *p.* 112.]

Sept. 28. **1,350.** Minutes of Council of Barbados. The Assembly brought up an address, asking that the soldiers of Garth's (late Russell's) regiment might be subsisted out of the Treasury at the rate of tenpence a day, or might do duty on guard at the fortifications as formerly. Several ships having come in with great quantities of wine, and the Excise Bill, which imposed a duty thereon, not being passed, the President summoned the Assembly and represented to them the loss to the country if that bill were not passed, since the Assembly would not agree to the Council's amendments thereto. The Assembly remaining inflexible the Council found themselves under the necessity of passing the bill, since it was to last one year only, lest revenue should be lost. David Ramsay was sworn of the Council. [*Board of Trade.* Barbados, 65. *pp.* 244-245.]

Sept. 29. H.M.S. Fowey, Spithead. **1,351.** Captain Culliford, R.N., to William Popple. I have received the two Indians and their interpreters on board, pursuant to your letter of 21st inst. *Signed*, Ri. Culliford. ½ *p.* *Endorsed*, Recd. 1st. Read, 6th Oct., 1697. [*Board of Trade.* New York, 7. *No.* 47; *and* 52. *p.* 282.]

Sept. 30. **1,352.** Minutes of Council and Assembly of Antigua. The Council and Assembly agreed with the Lieutenant-Governor that a treaty should be made with the owners of Stallridge's pond and

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Bishop's pasture pond, so that rounds and guards may not be stopped there. The Lieutenant-Governor and Council gave their opinion that the impost on liquors should be collected by the Treasurer of Nevis until the Governor's further pleasure should be known. Joint Committee appointed to draw up a letter to the Governor accordingly, and another Committee to draw up an answer to the letter of the Council of Trade. [*Board of Trade.* Leeward Islands, 64. *pp.* 433-434.]

Sept. 30. **1,353.** Minutes of Council of Massachusetts. Order for transportation of French prisoners to France or to French Colonies in such ships as shall be bound thither, but that Captain Villieu be still detained. [*Board of Trade.* New England, 49. *pp.* 121-122.]

Sept. 30. Boston. **1,354.** Lieutenant Governor Stoughton to Council of Trade and Plantations. Yours of 27 August, 1696, arrived on 2 May last, and yours of 20 January and 24 March, 1697, on 24 May last, also the King's letter of 18 March, 1697, with the royal commands as to assistance to be given to Captain John Gibson, then setting forth for the reduction of Newfoundland. This I communicated to the Assembly a few days after receipt, and posted copies to the neighbouring Colonies asking them to forward victuals for the expedition, of which they have a better supply than we. For two years past the chief of our supplies have come from them, the crops so failing here that the people have been obliged to buy bread-corn and other provisions for the subsistence of their families. I hear that several vessels have been sent to Newfoundland from these Governments, and some have been sent from here. The Assembly to encourage the same passed an Act prohibiting the export of provisions except for Captain Gibson's expedition, and were ready to have done whatever else lay in their power. I have not yet heard of Captain Gibson's arrival or of his success, of which I should be exceeding glad. Your warning of an intended invasion by the French put me upon vigorous preparations for defence of the province, and the fortifications have been so restored, and new ones so erected at the ports, that we were never in so good a position. Between four and five hundred men have been levied and posted on the Eastern frontier, besides those posted at Piscataqua to repel any attempt on those parts. With the Council's advice an embargo was also laid on all shipping during the months most probable for expecting the enemy, in order to keep men in the country for its defence. Our stores of war are low, especially powder, which could not be supplied here; I hope supplies are coming towards us. But notwithstanding all our preparations we lie under many disadvantages to prevent the incursions of the bloody and barbarous heathen upon our frontiers, who gain opportunity to make spoils upon us, and for retreat have a large unsubdued wilderness, where the woods, rivers and swamps prevent pursuit. Their greatest mischief this summer was done a fortnight since at Lancaster, where they surprised, killed and captivated about twenty-six persons, chiefly women and children, and burned two houses and two barns, chiefly owing to the invigilance of the inhabitants, their neglect to keep up watches and scouts, and their going unarmed. The forces in the eastern parts by order set forth

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on an expedition into the country, having transports to attend them. They met a party of about two hundred French and Indians near Pemaquid and had an engagement with them, and though the ground was disadvantagous to them (the enemy sheltering themselves behind rocks and trees) yet they forced them to retreat and fly to their canoes, by means whereof they got away, after considerable execution done upon them, but not without loss on our part. Probably their designs for an attack on our out-towns were thereby prevented. A great part of the inhabitants have been kept on duty throughout the summer, having notice of the gathering of the French and Indians to the Northward, to attend a squadron which they were expecting for the invasion of this country. Several French ships of force, one of fifty or more guns, besides privateers have been on this coast, though happily they have been prevented from doing much damage, and one of the lesser (a vessel formerly belonging to New England) has been taken by H.M.S. Arundel. The Province galley, under Captain Cyprian Southack, is constantly employed to cruise about the Capes and convoy vessels from Virginia, Pennsylvania, Connecticut, etc. between Massachusetts, Martha's Vineyard and Rhode Island. She has been of great service and the Commander has acquitted himself with great care and diligence, none of the vessels under his charge having miscarried.

The proclamation against Henry Every and others was duly published, but after diligent enquiry and search I cannot find that any of them are in this Government. They find more countenance and better entertainment in other places. Pirates know that they are obnoxious to the Government here, which has passed an Act against piracy, and to the people in general; nevertheless I thank you for your incitement to watchfulness on such occasions as may wipe off any reflections unjustly cast upon Massachusetts in that regard. I have given a particular account of the prize-ships brought in since Sir William Phips's departure to Thomas Robinson, Agent to Lord Romney, and to Mr. John Glover (to whom they have entrusted their authority) as also of their lading, its produce upon sale, and the King's share thereof. I shall pay this last to Mr. Thomas Robinson, and hope that his receipt will be accepted as my discharge of the same. Account of these ships and their lading is enclosed. Three more prizes have since been brought in by a privateer, but have not yet been prosecuted. The late Commander of the Fort at Pemaquid has been put on trial before the Justices of Assize for surrender of the said fort, and has been acquitted, after near nine months' imprisonment. Your orders for placing the Captains of the King's ships sent to the Colonies under the direction of the Governors and for regulating impressment were very acceptable to us here, who have heretofore been much harassed and oppressed by some of the Commanders. I thank you also for your explanation of the reasons for disallowance of several of our Acts, which will be of good information and direction to the General Assembly in making of new Acts for those purposes. We are greatly oppressed and impoverished by a tedious wasting war, and the people are almost discouraged by being long confined to fortifications and unable to attend their necessary occasions abroad for

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their subsistence without peril of their lives, besides the burden of heavy taxes. The cost of the prepartions this summer and of paying seamen, soldiers, vessel-hire, etc., will rise very high. The Journals and Acts will be sent to you by H.M.S. Falkland very shortly. This present is the first ship which has sailed from hence since I received your letters, and I detained her for some time in expectation of Lord Bellomont's arrival. I am sure the people will be happy and the King's service greatly promoted under the Government of so noble and worthy a person. *Signed*, Wm. Stoughton. 3½ *pp. Annexed*,

1,354. 1. Account of ships taken by men-of-war and privateers from the autumn of 1695 to the summer of 1697, with the value of their cargo. Twelve ships in all. Value of the King's share therein, £286. *Signed*, Wm. Stoughton. 2 *pp. The whole endorsed*, Recd. 9th. Read 12th Nov., 1697. [*Board of Trade.* New England, 8. *Nos.* 124, 124 I.; *and* (*without enclosure*) 36. *pp.* 320-330.]

Sept. 30. Boston. **1,355.** The Secretary of Massachusetts to Council of Trade and Plantations. Advising the despatch by H.M.S. Falkland of several originals and duplicates of Minutes of Council and Journals of Assembly. *Signed*, Isa. Addington. 1½ *pp. Endorsed*, Recd. 4 Jan. Read 10 Jan., 1697-8.

List of the papers enumerated in the above letter. 1½ *pp. Endorsed* as the letter. [*Board of Trade.* New England, 8. *Nos.* 125, 126; *and* 36. *pp.* 339-342.]

Sept. 30. **1,356.** Certificate of several merchants trading to Bermuda that John Dudgeon is well qualified for the post of Secretary and Provost Marshal of that Colony. *Signed*, E. Richier, John Kendall *and by eleven more.* ½ *p. Endorsed*, Recd. Read, 30 Sept., 1697. [*Board of Trade.* Bermuda, 3. *No.* 18; *and* 29. *p.* 47.]

[Oct. 1.] **1,357.** Copy of a Commission given by Captain Josiah Daniel, of H.M. Ship Prince of Orange, to Lieutenants Ockman and Young to seize one Day, a pirate, in Pennsylvania. *Endorsed*, Delivered to the Board by the Lieutenants. Recd. Read, 1 Oct., 1697. ½ *p.* [*America and West Indies.* 599. *No.* 33.]

Oct. 1. **1,358.** Memorial of the Proprietors of East New Jersey. Under our Patent, as we are advised by Counsel, we have the right to erect ports in our property; but the Collector and officers of New York pretend to compel all ships bound to East Jersey to come to New York and pay an impost there according to an Act of their General Assembly. They pretend further that all Governors of New York have received an instruction to that effect. We conceive that neither the Act nor the instruction can bind us to pay custom nor hinder us from the use of our port, for New Jersey is distinct from New York. The privilege of ports was one of the chief inducements to us to adventure and send settlers over there, and the disturbance of us therein will ruin the trade of the province and destroy our property. The Commissioners of Customs have lately reported that it is necessary that there should be privileged ports in New Jersey for the attendance of the officers

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of Customs. We beg you to hasten your report to the Lords Justices for preservation of our rights, as Lord Bellomont and the Governor of East Jersey are both ready to embark. [*Board of Trade.* Proprieties, 25. *pp.* 154-157.]

[Oct. 1.] **1,359.** Opinion of Sir John Hawles, Solicitor General, upon the Memorial of the Proprietors of East Jersey (*see preceding abstract*). (1) If East and West Jersey are not under the Government of nor dependent on New York, I think Customs cannot be imposed on any goods imported into any ports belonging to East and West Jersey by the Government of New York, nor otherwise than by Act of Parliament in England or of the General Assembly of East and West Jersey. (2) I think that the Commissioners of Customs of England (if the case be truly stated) cannot compel the inhabitants of the Jerseys to enter their ships at New York, nor restrain them from using their own harbours, though they will not pay the duties imposed by the Assembly of New York. *Signed*, Jo. Hawles, 4 June, 1697.

Opinion of Sir Creswell Levinz on the same, 2 April, 1697. To the same effect, more briefly stated. [*Board of Trade.* Proprieties, 25. *pp.* 158-163.]

Oct. 1. Whitehall. **1,360.** Council of Trade and Plantations to the Lords Justices of England. After enquiry we find that John Dudgeon is fitly qualified to be appointed Secretary of Bermuda, but we suggest that the office of Provost Marshal, which is quite distinct from it, might be reserved for the King to bestow on some person who has deserved reward for his good service in the late war. *Signed*, Ph. Meadows, John Pollexfen, Jo. Locke, Abr. Hill, Geo. Stepney. [*Board of Trade.* Bermuda, 29. *pp.* 48-49.]

Oct. 2. St. John Street. **1,361.** Sir Henry Ashurst to Council of Trade and Plantations. I enclose my answer to the heads for a charter drawn up by you. *Signed*, Hen. Ashurst. 1 *p.* *Enclosed*,

1,361. I. Answer of Sir Henry Ashurst, and of several inhabitants of and traders to New England, to a paper of proposals for establishment of a Corporation to work copper-mines in New England and bring naval stores from thence. (1) All attempts to separate the copper metal from the earth in New England have failed so far. (2) The Corporation only proposes to bring in about £6,000 worth of naval stores in two years, which is within the reach of two or three individuals without a Corporation. (3) In spite of its restrictions your proposed charter will confer a monopoly. A Charter will lower the price of our commodities, for the Corporation will lower its prices for the first few years to beat individuals out of the field. Hence no doubt the modest proviso that no stock shall be transferred within five years of the date of the Patent. (4) Having gained the monopoly they will raise the price, and the inhabitants of New England, being oppressed, will find themselves forced to manufacture linen or woollen for their own use, to the great damage of England. (5) In time of

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peace the Commissioners of the Navy contract for not above two ships' load of masts a year, which is of no great value. (6) The people of New England are daily supplied by private hands with more commodities than the Country can send. (7) The great charge of Corporations forbids that naval stores can be bought as cheap by a Company as by private hands. (8) As to the professed willingness to vacate the charter if the Company's powers be misused, we may as well set bounds to the sea. Other Corporations survive and thrive under twelve years' complaints to the King and Parliament. (9) On intelligence that such a patent was asked for, the people of New England represented that it would be their ruin. Even if this (which lies in your office) be of no weight with you, it is surely unreasonable to grant such a patent just when Commissioners have been appointed to examine and report as to the whole question of naval stores in America. If their report be favourable no doubt the King will find means to encourage the export of their stores. *Thirty signatures. Large sheet. The whole endorsed*, Recd. 4th. Read 8th October, 1697. [*Board of Trade.* New England, 8. *Nos.* 127, 127 I.; *and* 36. *pp.* 302-307.]

Oct. 4. **1,362.** Journal of Council of Trade and Plantations. The copies of the grants of 1674 and 1682 to the Proprietors of New Jersey were read; but the Council still finding difficulties in the case deferred it for further consideration.

Oct. 5. A letter from Mr. Orth of 21 September relating to the Scotch East India Company was read.

The petition of the Proprietors of New Jersey was then further considered and order given for certain queries to be addressed to the Attorney and Solicitor General thereupon.

Oct. 6. Captain Culliford's letter of 29th ult. as to the two Indians was read (*No.* 1,351).

Memorial of certain Quakers of Maryland read (*No.* 1,365). The Council informed them that the Act of which they complained was now before the Attorney General, but that their memorial should be remembered when the Act came before the Council.

Several Acts of Barbados, with the Attorney General's opinion thereon read. The Council decided to read the journals before giving their resolution upon the first of them.

Letter to the Attorney and Solicitor General on the petition of the Proprietors of New Jersey approved and sent (*No.* 1,367).

Oct. 7. The Council perused the Journals of Barbados, and the Secretary was ordered to ascertain from the Agents the ancient practice of the island as to controverted elections, and to press the Attorney and Solicitor General for the despatch of the Acts now in their hands.

Representation as to Colonel Beckford's dormant commission signed (*No.* 1,368).

Oct. 8. The Secretary was ordered to request of Messrs. Blair, Hartwell and Chilton a full account of the public state of Virginia.

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The Order in Council of 5th inst. with a letter from the Governor of Maryland to the Privy Council was read (*No.* 1,363). Governor Nicholson's letter of 13 July last read and considered.

Order for Mr. Penn to attend on Monday next on the business of the protection of pirates in Pennsylvania.

Sir Henry Ashurst's letter of 2nd inst. read (*No.* 1,361). The Council thereupon resolved to make no further concessions to the petitioners for a patent to work mines in New England, but to let the matter lie as it now does.

Perusal of the journals of Barbados was continued.

Papers relating to Bermuda, and in particular to the displacement of Nicholas Trott, jun., were read. [*Board of Trade.* Journal, 10. *pp.* 293-302.]

Oct. 5. Whitehall. **1,363.** Order of the Lords Justices of England in Council. Referring a letter from Governor Nicholson, with its enclosure, to the Council of Trade. *Signed*, John Povey. ½ *p. Enclosed*,

1,363. I. Governor Nicholson to the Privy Council. Port Annapolis, 30 June, 1697. On the 10th inst. I received your commands of 27 August, 1696, concerning one Henry Every, and a copy of the Royal proclamation against pirates. I enclose copy of my own proclamation. I confess that I always abhorred such sort of profligate men and their barbarous actions; for sure they are the disgrace of mankind in general, and of the noble, valiant, generous English in particular, who have the happiness of being governed by so great a King. *Signed*, Fr. Nicholson. 1 *p.*

1,363. II. Governor Nicholson's proclamation against pirates, 10 June, 1697, enclosed in the above. *Copy.* 1 *p.* [*Board of Trade.* Maryland, 3. *Nos.* 40, 40 I., II.; *and* (*without enclosure* II.) 9. *pp.* 118-119.]

Oct. 5. **1,364.** Minutes of Council of Barbados. Order for the disposing of Garth's (late Russell's) regiment among the forts. Order for the ships bound to North America to sail on the 9th under convoy of H.M.S. Sheerness, and for the Sheerness to touch at Antigua on the return voyage. Order for the trial of a French prize taken by H.M.S. Newcastle, that four of her officers, having helped to navigate her through some shoals unknown to the English, be released and sent back to Martinique, and that the remaining prisoners be dispersed among the merchantmen and men-of-war. Order for provisions for the Bonaventure. Account of disbursements for the Bideford sent to the Assembly. The Assembly brought up a bill for new entrenchments and an address and bill for printing the laws of the island, and pressed the Council to pass the Militia and Habeas Corpus bills. They asked further that the frigates might cruise off Martinique, this being the season when the French expect supplies, and that a writ might be issued for election of a new member in place of Colonel Ramsay. The Council then delivered to the Assembly several papers, and acquainted them that they had provided a bill against engrossers, that the Habeas Corpus bill was near finishing and that the Militia

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bill would be speedily considered. They then urged upon them that the treat given to Admiral Nevill should be discharged, that provision be made for the new Governor lately appointed, that the bill for furnishing seamen be hastened, that racks for arms be made in the magazine, and that a convenient gaol be made. They added that care had been taken to get the frigates ready with all speed.

Oct. 6. The Council sent down to the Assembly a list of the wants of H.M.S. Newcastle and two letters that had passed between the Agents and the Admiralty. Habeas Corpus bill read and returned to committee for alterations. The Assembly brought up a Bill for St. Andrews parish to choose a vestry, and the bill for furnishing seamen. They asked that a frigate might ride off Speights to prevent the surprise of vessels in that road, but refused to depart from their former resolution not to supply the King's ships, lest it should be drawn into a custom. The Council rejoined that the supply of the frigates was of great importance, that not much was wanted in this case, and that the King had sent out a great quantity of stores which had been lost by accident. At the Assembly's request the Habeas Corpus bill was returned to them. Two Assemblymen, William Holder and Miles Tappin, offered to be security for anyone who would advance £100 for the supply of the Bideford. [*Board of Trade.* Barbados, 65. *pp.* 245-248.]

Oct. 6. **1,365.** Memorial of the Quakers of Maryland to Council of Trade and Plantations. Before and in 1692 we enjoyed greatly the liberty of our consciences, upon the encouragement of which our fathers settled in the country. In 1692 that liberty was infringed by an imposition of 40*lbs.* of tobacco a head for building churches and maintaining ministers. Because we could not for conscience sake pay this imposition the law is strictly executed upon us, who are ancient planters and not the least considerable merchants. We beg you to disallow this law or to recommend a proviso for our relief. *Signed*, Richd. Johns, Sam. Chew, Neh. Birckhead, Sam. Galloway. 1 *p.* *Endorsed*, Recd. Read, 6 Oct., 1697. [*Board of Trade.* Maryland, 8. *No.* 41; *and* 9. *p.* 117.]

Oct. 6. Whitehall. **1,366.** William Popple to the Attorney-General. Forwarding the laws passed in Maryland at the Assembly held between 26 May and 11 June, 1697, for his report. *Here follows a list of the Acts, nine in number.* [*Board of Trade.* Maryland, 9. *pp.* 115-116.]

Oct. 6. Whitehall **1,367.** William Popple to the Attorney and Solicitor-General. On the contention of the Proprietors of East New Jersey respecting their right to constitute ports in that province (*see No.* 1,358), I am to desire your opinion on the following points. (1) What is a port, and by what means may any place in the King's dominions on the Continent of America become a port? (2) Did King Charles II.'s patent to the Duke grant him power to erect ports? (3) Did or could the Duke of York convey that power to Lord Berkeley and Sir George Carteret? (4) When these two divided New Jersey could they convey such powers to the Proprietors to whom they sold their shares? (5) Supposing that East and West Jersey, now divided from New York, were formerly united with it under one

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government and that the city of New York was then the port for the whole province, would there be, upon the separation of East Jersey from New York by the conveyance of the Duke of York, any right conveyed to the granters of constituting a port at Perth-Amboy or elsewhere at their pleasure? (6) Supposing further divisions of the province to be made by the Proprietors, will each of the several Assignees have also a right to constitute a port or ports in each of their divisions. *Signed*, W. Popple. 1½ *pp.*

Answer of the law-officers to the above queries. (1) A port in our law is a place appointed for the lading and unlading of goods and merchandise for the better collection of the King's customs and other duties. Such ports by the Act of 25 Car. II. *cap.* 7 (for better securing the Plantation Trade) are to be appointed by the Commissioners of Customs in England by and under the authority of the Lord Treasurer or Commissioners of the Treasury, in the respective Plantations, for collecting the customs due to the King in those Plantations. (2) The power of appointing ports thus granted to the Commissioners of Customs was not granted to the Duke of York by his Patent. (3) Hence the Duke of York, not possessing such power, could not grant it to Lord Berkeley and Sir George Carteret. This sufficiently answers queries 4, 5, 6. *Signed*, Tho. Trevor, Jo. Hawles. 1 *p.* *The whole endorsed*, Recd. Read, 18 Oct., 1697. [*Board of Trade.* Proprieties, 2. *No.* 1; *and* 25. *pp.* 164-168.]

Oct. 7. Whitehall. **1,368.** Council of Trade and Plantations to the Lords Justices of England. In July, 1695, we moved the then Lords Justices for a dormant Commission to be prepared for Colonel Peter Beckford to succeed to the Government of Jamaica. They gave order accordingly, and a Commission was drawn but not expedited. We now recommend that the said Commission be passed. *Signed*, Ph. Meadows, John Pollexfen, Jo. Locke, Abr. Hill, Geo. Stepney. [*Board of Trade.* Jamaica, 56. *pp.* 135-136.]

Oct. 7. **1,369.** Minutes of Council of Jamaica. Order for payment of £175 as five months' pay to a party employed in hunting runaway negroes. Orders for sundry payments, and for £300 of the King's bounty-money to be distributed to the plundered inhabitants of St. David's, St. Thomas to windward, St. George and St. Mary. On a complaint against the officers of the King's ships of violence and insolence, and their counter-complaint against the inhabitants of harbouring deserters, seven of the Council were appointed to enquire into the matter. [*Board of Trade.* Jamaica, 79. *pp.* 19-21.]

Oct. 7. **1,370.** Minutes of Council and Assembly of Antigua. Order for payment for a pressed sloop which was lost in the expedition to St. Martin's. Letter to the Agents approved. This letter acknowledges the receipt of their accounts, though they should have been sent sooner, but desires explanation of the reason only £341 was given to the Lord President over and above £44 to his Secretary, also explanations of a payment of 300 guineas paid to the Lord President in May, 1694, of 100 guineas to the Secretary of Plantations in November, 1694, and £110 in November, 1695, over and above 100 guineas paid to him in November, 1692, of £141 paid to

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Mr. Povey and of £96 to secretaries and clerks. A letter from the Assembly to the Governor was then read and approved, protesting against his appointment of Philip Browne as Treasurer, when Azariah Pinney had already been appointed by the Lieutenant-Governor, Council and Assembly. [*Board of Trade.* Leeward Islands, 64. *pp.* 435-438.]

Oct. 8. Whitehall. **1,371.** William Popple to William Penn. The Council of Trade hearing that you were in town desired me to summon you to speak with you next Monday afternoon respecting the complaints against Pennsylvania of harbouring pirates. Though I have since heard that you are not in town, I send you this notice none the less. [*Board of Trade.* Proprieties, 25. *p.* 166.]

Oct. 8. Whitehall. **1,372.** William Popple to Henry Hartwell. The Council of Trade having read your answers to their queries and not doubting that you may be able to suggest other things of equal importance, desire you to draw up a full and plain account of the whole public state of Virginia, that so they may have it before them in one view. They have made the same request of Dr. Blair and Mr. Chilton, so that you are at liberty to send your answer jointly or separately. [*Board of Trade.* Virginia, 37. *pp.* 124-125.]

Oct. 11. **1,373.** Journal of Council of Trade and Plantations. Governor Nicholson's letter of 13 July further considered. Order for Mr. Francis Jones to attend on Wednesday next, and that an extract of the passages relating to the Acts of Trade be sent to the Secretary of Customs.

Perusal of the Virginian papers continued.

Oct. 12. Order for an extract of Governor Nicholson's letter, relating to the accounts of Mr. Cheseldyn and Mr. Coode, to be sent to Mr. Povey.

Perusal of the Virginian papers continued.

Oct. 13. Order for the Agents of the West Indian Islands to attend on Friday. Perusal of the papers of the Leeward Islands begun with the Journals of Council and Assembly of Antigua of 1692.

Oct. 14. Mr. Vernon's letter of yesterday as to disbanded soldiers read (*No.* 1,379). Agreed to lay the matter before the Agents for the West Indian Islands to-morrow.

The addresses enclosed in Governor Nicholson's letter of 13 July read, and those addressed to the King sent to be laid before his Majesty.

The informations of Francis Jones and Thomas Robinson, as to pirates in Pennsylvania were read; but it was agreed not to refer to them in answering Governor Nicholson's letter, since they were not given on oath.

A petition from Mr. Bulkley for a favourable report upon his case was read.

Oct. 15. Mr. Bridges presented a memorial (*No.* 1,382). Order for a representation as to men-of-war for the West Indies to be prepared. Mr. Bridges asked for further time to consider the questions put to him concerning controverted elections in Barbados and disbanded soldiers. Mr. Cary answered to the same effect as to disbanded soldiers; and orders were given for letters to be written to Lord

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Bellomont, and the Agents or representative gentlemen of Jamaica, Massachusetts, Maryland, Virginia and New York upon the subject.

Ordered that in the next letters sent to Virginia, Maryland and New York, the Governor be instructed to move for the retention of regular Agents for those colonies in England.

A further letter of 1st inst. from Mr. Orth as to the Scotch East India Company was read.

Mr. Stepney communicated to the Board a letter from Mr. Newman to Mr. Nelson of 2 August (*No.* 1,219). Ordered for a copy thereof to be kept.

Several papers relating to public proceedings in Maryland laid before the Board. [*Board of Trade.* Journal, 10. *pp.* 303-313.]

Oct. 12. Bermuda. **1,374.** Governor Goddard to Council of Trade and Plantations *Gives a transcript* of his letter of 29 June and 22 September (*Nos.* 1,122, 1,340) *and proceeds.* I send the affidavits which I promised in my letter of 29 September and the names of the confederates who were in the design to assist him to escape to the Leeward Islands; but the design was for Martinique or St. Thomas, if he could have got off. *Signed,* J. Goddard. 4 *pp. Endorsed,* Recd. 15th, Read 18th July, 1698. *Enclosed,*

1,374. I. Sworn information of Jonas Clay, sometime master of the sloop Happy Jane, that his ship, before her late condemnation was the property of Isaac Richier so far as he knows, though perhaps Richier's brother was concerned in her, that she was designed to carry him off to Antigua or Montserrat, and that signals had been agreed on to shew when Richier was coming off.

1,374. II. Isaac Richier's sailing orders to Jonas Clay, 4 June, 1697.

Letter from Jonas Clay, 4 June, 1697, saying that his design to carry off Richier is suspected and that he must sail for Barbados.

Letter from Isaac Richier to Jonas Clay. Repeating his former instructions, and blaming him for not following them and for mistrusting him.

Minutes of Council of Bermuda, 17 September, 1697. Giving the examination of Jonas Clay, in which he revealed that the sloop Happy Jane was purchased for Isaac Richier, and gave the names of the persons who were his confederates. Resolved, that all the said persons be bound over to good behaviour and to appear at the next assizes.

Further information of Jonas Clay, as to a forged letter of credit, whereby the fiction, that he was the true purchaser of the Happy Jane, was to have been maintained.

Copy of Jonas Clay's oath to keep the design of Richier's escape secret.

Names of the chief confederates in the design, nine in all. *Copies.* 5 *pp. Endorsed,* Recd. 15 July, 1698. [*Board of Trade.* Bermuda, 3. *Nos.* 19, 19 I., II.; *and* (*without enclosures*) 29. *p.* 123.]

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Oct. 12. **1,375.** Minutes of Council of Montserrat. Order for the owner of a negro, which negro had been convicted of murder, to pay 5,000*lbs.* of sugar or have him executed. Order for another negro belonging to the same owner to be hanged for stealing, and for compensation to be paid to the owner. [*Board of Trade.* Leeward Islands, 64. *p.* 525.]

Oct. 12. **1,376.** Minutes of Council of Barbados. An application was received for payment for the subsistence of French prisoners. Order for the Treasurer to supply the Bideford with fourteen days' bread for thirty men. Colonel Ramsay took the oath as a judge in equity.

Oct. 13. Militia bill read a second time and sent to the Assembly with amendments. The Assembly brought up the Habeas Corpus bill and asked, that the bill to prevent the escaping of white men and slaves might be passed, that the bill against engrossing contain among other matters a prohibition to export provisions, that the soldiers if disbanded may not be disposed of by the officers, and that racks and bins be made for the magazine.

Oct. 14. Habeas Corpus bill read and referred for further consideration. Order for four men and a boat with its crew to be allowed to Mr. Heberlands to assist in his survey of the forts. Order for Robert Chapman, son of the late master gunner, to be admitted a matross. [*Board of Trade.* Barbados, 65. *pp.* 247-250.]

Oct. 12. **1,377.** Minutes of Council of Maryland. Order for the suspension and disbarring of James Crauford by the Justices of Calvert County to be referred to the law officers (*p.* 337).

Oct. 13. Report of the law-officers as to the issue of a new Commission for Somerset County, which shewing a difference of opinion was referred to the Provincial Court (*pp.* 339-341). Order for no fees to be taken for administration of the estates of rangers lately killed at the garrison, and that rangers be permitted to take up one or two unmarked wild horses apiece (*p.* 342).

Oct. 14. Report of the law-officers, condemning the actions of the Justices of Calvert County, respecting James Cranworth (*p* 337). Several letters read concerning the Indians and the late murder committed at the garrison. The Governor reported the orders that he had given for strengthening the frontiers and garrison. The Council gave it as their opinion that an Assembly could not be called at this time of year, but that the Justices and Grand Jury should be consulted as to the further measures to be taken about the Piscattaway Indians, who are suspected to be the guilty parties. The gentlemen who went lately to the Indians attending, reported that they believed the Indians to be sincere in their friendly professions. A report was also given as to the Choptico Indians. Other gentlemen familiar with the Piscattaway Indians said that they doubted whether they would return to Maryland. Proclamation offering a reward for the apprehension of an Indian for murder of a woman and three children in Virginia. Accounts being brought in from Baltimore County of insolencies of Indians there, were found to be without foundation. The Justices and Grand Jury were summoned to advise as to the Indians (*pp.* 342-347).

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Oct. 15. The Grand Jury and Justices attending, the Governor put before them the question of making war on the Indians in consequence of the murder on the Potomac. He proposed to draw 200 men from the six counties for defence of the frontier, if necessary; such men to be ready at the shortest notice to rendezvous at an appointed place, there to be lodged and armed, but each to provide his own horse. The Governor then proceeded to lay several further proposals for military preparations before the gentlemen, and as to communicating with Sir E. Andros for the co-operation of Virginia; and a Committee was appointed to consider of the whole matter (*pp.* 342-350). Orders to prevent the smuggling of liquor to the Rangers (*p.* 353).

Oct. 16. The Grand Jury and Justices were again summoned, and the Committee's report deferred until Monday, 18th (*p.* 350). [*Board of Trade.* Maryland, 13. *pp. as cited.*]

Oct. 13. Whitehall. **1,378.** William Popple to John Povey. Acquainting him with the passage in Governor Nicholson's letter of 13 July, wherein he requests that two accounts concerning Kenelen Cheseldyn and John Coode may not be passed until he has been heard on the King's behalf. [*Board of Trade.* Maryland, 9. *p.* 138.]

Oct. 13. Whitehall. **1,379.** James Vernon to Council of Trade and Plantations. The Lords Justices have taken into consideration that it might be many ways useful and advantageous to the plantations if any number of the soldiers in the army, upon their being disbanded, were disposed to settle in such of the Plantations in America as most need supplies of men, and where the greatest improvements are to be made. It is their order, therefore, that you consider forthwith what encouragement may be fit to be proposed, and what provision can be made for those who shall be willing to transplant themselves into any of the Colonies, and report to them your opinion. *Signed*, Ja. Vernon. ½ *p. Endorsed*, Recd. 13th, Read 14th Oct., 1697. [*Board of Trade.* Plantations General, 4. *No.* 67; *and* 34. *p.* 184.]

Oct. 13. **1,380.** Journal of General Assembly of Massachusetts. The Lieutenant-Governor recommended to the Assembly the state of the Treasury. Proposals to ascertain the value of coins and for registry of deeds.

Oct. 14. Bill to encourage Volunteers against the Indians received from the Representatives; bill to exempt the town of Groton from taxes sent down to them. Advised that bills be prepared for ascertaining the value of coins and for registering deeds.

Oct. 15. Committee appointed to examine the petition of the bakers as to the Assize of bread. Bill for Volunteers returned with amendments; bill for prosecution of the enemy read a second time and sent down. Bill for a public thanksgiving received and passed. Heads of a bill for registering deeds agreed to.

Oct. 16. Bills as to value of coins and registering of deeds debated. [*Board of Trade.* New England, 48. *pp.* 183-186.]

Oct. 14. **1,381.** Minutes of Council of Massachusetts. Commissioners appointed for the trial of an Indian for murder. John Butler appointed coroner of Duke's County. [*Board of Trade.* New England, 49. *p.* 122.]

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Oct. 15. **1,382.** William Bridges, Agent for Barbados, to Council of Trade and Plantations. In reply to Mr. Popple's letter of 22 September (*No.* 1,339), we are informed that it has been usual for one of the King's ships-of-war to attend Barbados in time of peace, sometimes a fourth-rate and sometimes a fifth-rate. We think that at present it would be most convenient to appoint a fourth-rate for that service, to be relieved in some reasonable time by a fifth-rate, which may constantly attend the island in time of peace and be relieved yearly. *Signed*, Wm. Bridges. 1 *p. Endorsed*, Recd. Read 15 Oct., 1697. [*Board of Trade.* Barbados, 7. *No.* 42; *and* 44. *pp.* 97-98.]

Oct. 15. Wormington hurst **1,383.** William Penn to William Popple. "Esteemed friend," I take very sensibly the intimation given me and am not a little troubled that when I came from Bristol on purpose upon this "Allarum" three months ago, have been twice in town and seven weeks, or near it, at one time, and made several visits to the office to see if anything needed me, the Lords should now think it needful for me to wait upon them upon the clamour of the Government's protecting pirates. I commend their looking into everything, but I hope they will not give themselves an unnecessary trouble. If Colonel Markham hath done ill, it will be fit to turn him out, and I shall do it heartily, but I think to be judged *ex parte* is not justice. He should be heard, and therefore I offer that Lord Bellomont should have it in charge to inspect this noise and see if he can make more of it, and upon his report to the Lords I shall act to their satisfaction. Colonel Markham was not my election but submission (*sic*), for the Queen desired he might be my deputy (as he was Governor Fletcher's) while the war lasted, so that it cannot affect me. The war is now ended, my submission discharged and Colonel Markham upon his good behaviour. I wrote to him months ago for a state of his case, plain and true and well authorised by able and honest men upon the place, which I expect; and when it comes to hand the Lords shall have it. Meanwhile there are methods to prevent all this and I hope the Lords are upon them, viz. spy-boats, commanded by such as will give security for their just acting in the station, so that the King will have that more immediately in his own power; and time, that brings all things to light, will shew truth from trick and service from self, and loss and gain. I am unwilling to be now plainer, for I am sensible that what I say is thought to come with a bias, but my life has been another thing. To conclude, I am going in the spring if not sooner, if God permit; and I think without vanity I shall be able to recommend myself and the province to the Council of Trade in a very convincing manner. I shall say nothing more of our enemy's foolish as well as malicious endeavours, and that all this smoke arises out of the pit; but I hope the Lords will weigh all with a just scale and distinguish well between merit and envy. I shall wait on them if they persist to desire it since I have lost so much of my reason for Ireland. Meantime one Wharton has the papers and is instructed to wait upon the Lords in that affair. *Signed*, Wm. Penn. 5 *small pages. Holograph. Endorsed*, Recd. Read, 18 Oct., 1697. [*Board of Trade.* Proprieties, 2. *No.* 2.]

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Oct. 15. Whitehall. **1384.** William Popple to the Agents for the Colonies in England. The Council of Trade desires your thoughts in writing as to what encouragement may fitly be proposed and what provision can be made for any of the soldiers that may shortly be disbanded who shall be willing to transplant themselves to the Colonies [*Board of Trade.* Plantations General, 34. *pp.* 181-182.]

Oct. 15. Whitehall. **1,385.** William Popple to John Sansom. Forwarding an extract from Governor Nicholson's letter of 13 July, respecting proposed measures against illegal trade and the tricks of William Sharp. [*Board of Trade.* Maryland, 9. *pp.* 148-149.]

Oct. 16. Whitehall. **1,386.** William Popple to the Earl of Bellomont. The Council of Trade has been ordered to consider in which of the Plantations in America any number of the soldiers now to be disbanded may be best disposed, what encouragement may be proposed for them, and what provision can be made for those who are willing to transport themselves to any of the Plantations. You are requested, if possible, to take the thoughts of the New York Agents, or at any rate to give your own upon the subject, before your departure, since the matter requires speedy determination. [*Board of Trade.* New York, 52. *pp.* 282-283.]

Oct. 18. Portsmouth. **1,387.** Earl of Bellomont to William Popple. The wind was not fair till yesterday, and had it not been Sunday, so that we could not get our people and passengers together, I should have been for sailing then. I am this morning preparing to go on board H.M. ship Deptford, so as to be gone directly, and I am glad that yours of the 16th has overtaken me here. I think some men ought to be sent to New York not only as recruits to make up 400 complete men, of which I am informed that there are not at present one half, but also now that peace is made and soldiers can best be spared from England I should advise keeping a standing force of 1,000 or 1,200 men at New York, that being the frontier province next the French at Canada, and, as it were, the key of the English territory in America. The French, I am told, keep 1,500 men in pay, even in time of peace, and the English provinces, being vastly superior in extent to the French, it is a plain argument that there ought to be a good force maintained at the King's charge for defence of his provinces. I sent for Mr. Brooke and Mr. Nicoll to consult them on the subject of your letter, but as I could not find them I have written you such thoughts as occurred to me and what I have often heard people interested in the province wish for. My compliments to their Lordships of the Council. *Signed*, Bellomont. 1½ *pp. Endorsed*, Recd. Read 21 Oct., 1697. [*Board of Trade.* New York, 7. *No.* 48; *and* 52. *pp.* 283-284.]

Oct. 18. **1,388.** Journal of Council of Trade and Plantations. Several advices received from the East India Company as to pirates in the East Indies were laid before the Board.

Mr. Penn's letter of the 15th inst. read (*No.* 1,383). Order for Mr. Wharton to attend on Wednesday next.

The Secretary was instructed to inform Mr. Nelson that the memorial offered by him as to Acadia would be very acceptable.

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The answer of the Attorney and Solicitor-General to the queries sent to them respecting ports in New Jersey were read.

Papers concerning public proceedings in Maryland further considered.

Oct. 19. Representation as to the ships of war for the West Indies signed.

Mr. Hill produced a copy of the Maryland Act of Religion to which the Quakers object. Perusal of the Maryland papers continued.

Oct. 20. Mr. Vernon's letter of yesterday concerning Newfoundland read (*No.* 1,393). Order for an abstract of the representations of the Board on the subject to be drawn out.

A further letter from Mr. Orth of 12th inst., as to the Scotch East India Company was read.

Order that all the Agents and others who have been consulted on the question of disbanded soldiers for the Colonies be requested to hasten their replies.

Draft representation as to the affairs of Virginia read.

Oct. 21. Representations, dated this day, as to Newfoundland, and as to Mr. Bulkley's case (*No.* 1,400) were signed.

Lord Bellomont's letter of 18th inst., and the New York Agent's letter of 19th inst., as to disbanded soldiers were read (*Nos.* 1,387, 1,391).

Draft representation as to Virginia further considered.

Oct. 22. Mr. Vernon's letter of yesterday as to Colonial laws against receiving convicts read (*No.* 1,398). Order for a representation thereon to be prepared. Mr. Richard Cary presented a memorial from the Agents of the Leeward Islands on the subject of transplanting disbanded soldiers to the Colonies (*No.* 1,404). Being further questioned thereon he gave information as to the regiment now in the Leeward Islands, and as to the law concerning white servants in those Islands.

Mr. Gilbert Heathcote presented a memorial on the same subject (*No.* 1,406) and gave information as to the law now in force to encourage white men to come to Jamaica but added that now, in view of the peace, it was not to be expected that the terms therein offered would be continued. Ten thousand men could very well be employed in Jamaica if sent thither, but that must be done by the Government, for the planters would contribute nothing towards it. He could give no very certain information as to the manner of taking up land there, but said that the best thing he could think of for the encouragement of white emigrants would be a strict enforcement of the law that planters should keep one white servant to every ten negroes; but that he spoke this as an Englishman, against his interest as a planter and contrary to his duty as an Agent. The Council pointed out that all this information was omitted from his memorial; whereupon he promised to consult with others and to give a further account.

The representation as to Virginia was further considered.

Order for a representation to be drawn, adverse to the claims of the Proprietors of New Jersey in respect of ports. [*Board of Trade.* Journal, 10. *pp.* 313-324.]

Oct. 18. **1,389.** Journal of General Assembly of Massachusetts. Bills as to coins and for prosecution of the enemy debated.

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Oct. 19. The bills debated yesterday were voted to be engrossed. Vote of the Representatives for remission of duty upon some shipwrecked rum agreed to, also votes of £20 to the farmers of the excise, and of £20 to the commanders at Pemaquid. Order for a bill to revive the Act to prevent desertion of the frontier. Orders for Thomas Hinckley to be heard as to his petition for land, and for confirming to Elizabeth Beers a grant of land made to her late husband.

Oct. 20. Bill for prosecution of the enemy passed into an Act. Bill to revive the Act as to the frontiers voted to be engrossed and sent down to the Representatives, also the bill for registering deeds. Two votes for the Representatives for a special allowance to John Pyncheon and other officers were agreed to.

Oct. 21. The bills as to coins and as to the frontier were passed into Acts. Several bills against divers crimes were brought in.

Oct. 22. Three bills against crimes were read thrice and sent down to the Representatives. Bills for a tax and as to French prisoners received from the Representatives. Votes of the Representatives for allowances to Ephraim Savage and to certain Indians agreed to. Order for collection of arrears of taxes in Charlestown, and for relief of the widow of the late Collector.

Oct. 23. Three bills against crimes received and passed into Acts. Bills for a tax and against atheism and blasphemy debated. [*Board of Trade.* New England, 48. *pp.* 186-194.]

Oct. 18. **1,390.** Minutes of Council of Maryland. A new and more stringent proclamation issued for arrest of the Indian murderer (*pp.* 345-346). The Committee for Indian Affairs met and chose Sir Thomas Laurence for president, and after long debate submitted a number of recommendations as to the Indians, together with a suggestion that the Governor apply to the King for the relief of Maryland from contributing to the assistance of New York. It was agreed that negotiations should be sent to offer inducements to the Maryland Indians now in Virginia to return, meanwhile that Cecil County raise 30 men, Kent 30, Talbot 57, Dorchester 30, Somerset 53, who are to be ready at a moment's warning. Further details of military preparations (*pp.* 350-360).

Oct. 19. Order for the road between the Plantations on the East side of Potomac to be well cleared (*p.* 360). The Provincial Court met, and the Governor delivered his charge. On the report of the law-officers James Crauford, attorney, was re-admitted to practice. Instructions issued to Collectors and Naval Officers, and an officer appointed to receive all bonds and certificates (*pp.* 363-366).

Oct. 20. John West admitted as Deputy-receiver for Pocomoke. The question of the Commission for Somerset County was referred to the law-officers (*pp.* 338-339). Question as to a deputy-naval officer for the inlet at the sea-board side of Somerset County referred to John West and David Kennedy. John West swore to certain accounts (*pp.* 341-342). Further military orders. Anne Arundel County to provide 45 men and Baltimore County 15 men. Organization of the levies of the several counties. Interpreters appointed. Order for the arrest of Mountague, an Indian (*pp.* 360-362). The question of assistance to New York being brought

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forward, the Council authorised the Governor to send such answer as he should think best, if called upon, without summoning the Council (*p.* 369).

Oct. 21. George Muschamp and the Justices of the Provincial Court gave their opinion that if judgment were executed upon all the forfeited Navigation bonds in the country, they would not produce £500 (*p.* 367). Order for three appeals to be heard by the Governor and Council forthwith. Form of their oath as a Court of Appeal brought up. Order for Robert Mason's house to be searched, he being accused of secret correspondence with John Coode (*pp.* 369-371).

Oct. 22. Fees were settled for the Keeper of the Navigation bonds. George Layfield came and swore that he had delivered to David Kennedy the records of his office (*p.* 366). On the petition of the justices it was ordered that the proclamation forbidding all export of provisions except to New England and Newfoundland be rescinded (*pp.* 371-372).

Oct. 23. Order for the Justices of Calvert County Court to appear and answer for their contempt of the Governor's order respecting James Cranworth. George Muschamp admitted as Receiver of Pocomoke (*pp.* 337-338). Order for enquiry to be made, on the importation of goods from Europe, whether they are designed to be carried overland to Pennsylvania, and that if so a copy of the cocquet for such goods be given, in order that the 10 *per cent.* duty thereon may be collected (*p.* 367). Proclamation rescinding the prohibition to export provisions, but continuing the encouragement to take them to Newfoundland. Order for payment of extra allowances to Henry Denton, Clerk of Council, and to Clement Parke. Order for payment of £30 towards the expenses of the gentlemen sent to the Indians in Virginia. Address of the Committee for appointing the public levy, asking the Governor to borrow a few small sums of tobacco for sundry small expenses. Order made accordingly. Several Vice-Admiralty Commissions were signed and sealed (*pp.* 372-377).

Oct. 24. Order for the Collectors and Naval Officers to procure copies of the Acts of Trade and Navigation (*p.* 367).

Oct. 25. Several Collectors' accounts sworn to. Order for enquiry to be made as to a lunatic who had been permitted to preach in certain parish churches, and for the arrest of the chief vestryman of such parish (*pp.* 368-369). George Robotham sworn Vice-Admiralty Judge of the eastern shore. Order for prosecution of a ship, and for strict executions of their duty by Collectors and Naval Officers. [*Board of Trade.* Maryland, 13. *pp. as cited.*]

Oct. 19. Portsmouth **1,391.** The New York Agents to William Popple. Lord Bellomont acquaints us that you desire our opinion as to the number of forces to be kept on the frontiers and in the Colony of New York, for supporting the English interest in North America. We think 1,000 or 1,200 a suitable force. *Signed*, Chid. Brooke, W. Nicoll. ¾ *p. Endorsed*, Recd. Read 21 Oct., 1697. [*Board of Trade.* New York, 7. *No.* 49 ; *and* 52. *p.* 284.]

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[Oct. 19.] **1,392.** Copy of a law of Maryland, concerning Religion, of the time of Cœcilius Lord Baltimore. *Printed sheet. Endorsed,* Delivered by Mr. Hill. Recd. Read, Oct. 19, 1697. [*Board of Trade.* Maryland, 3. *No.* 42.]

Oct. 19. Whitehall. **1,393.** James Vernon to Council of Trade and Plantations. The advices from France bring an account that Mons. Nesmond has returned from Newfoundland without accomplishing anything against our sea or land forces. The Lords Justices desire your report as to the necessity for sending provisions thither and whether the season will admit of it. *Signed,* Ja. Vernon. ¼ *p. Endorsed,* Recd. Read, 20 Oct., 1697. [*Board of Trade.* Newfoundland, 3. *No.* 87; *and* 25. *p.* 129.]

Oct. 19. Whitehall. **1,394.** William Popple to John Nelson. Asking for a memorial containing anything more that he may have to offer for the King's interest in respect of Nova Scotia and the adjacent parts of America. [*Board of Trade.* New England, 36. *p.* 308.]

Oct. 20. **1,395.** Minutes of Council of Virginia. Resolved that the settlement of the Piscattaway Indians on this side Potomac, and the wounding of a woman and children in Stafford County be reported to the Assembly, and that the papers be laid before them. Order for all Surveyors to repair to the County Courts and to be sworn to due execution of their offices. A case of a forcible entry on land was heard, and the complainant John Carroll referred to his further remedy at law. Order for the Surrey County Court to require Major Arthur Allen to take the oaths of allegiance and supremacy. [*Board of Trade.* Virginia, 53. *pp.* 87-89; *and* 95-97.]

Oct. 20. **1,396.** Henry Hartwell and others to William Popple. We enclose a large and true account of the present state of Virginia. There are some few matters which were known only by one or two of us who remained longer in the country. These we have marked, placing the initials of his or their names who knows them in the margin. *Signed,* Hen. Hartwell, James Blair, E. Chilton. ½ *p. Enclosed,*

1,396. 1. An account of the present state and government of Virginia. § 1. *Of the natural advantages of the Country.* Very contrary characters of Virginia are given even by those who know it very well. Perhaps those who describe it as the best and as the worst country in the world are both right, for in natural advantages it is one of the best, and in improved advantages one of the worst of our Colonies. The air is wholesome, the soil fertile, the navigable rivers and creeks commodious, its coast open all the the year round, fresh water abundant, fish, fowl and wild beasts plenty, timber, fruits and minerals abundant. The climate is between the extremities of heat and cold. But if we ask for well-built towns, convenient ports and markets, for plenty of ships and seamen, for improved trades and manufactures, for well-educated

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children, industrious and thriving people, and a happy Government in church and state—we find the poorest, miserablest and worst country in America. It is a common saying among themselves that any people but the English would have made Virginia a happy country. The causes of its misery are chiefly to be found in the first wrong measures of not seating the people in towns, and in the narrow selfish ends of most of them; but after all it is perhaps as much to be imputed to the obstinacy of the people as to any other mismanagement. The bringing of the people to the improvements of cohabitation must be wrought against their will by the Royal prerogative, not by expecting the concurrence of the General Assembly, the major part of whose members have never seen a town nor a well-improved country in their lives, and cannot imagine the benefits of them. Among the improvements which might be made is the manufacture of iron and other minerals, which appear to abound. There is wood to burn them and water to carry them. There is also a curious transparent stone which might be carried to England as ballast, and so at little cost. It is a good country for the manufacture of silk, for mulberry trees thrive; and much of the work might be done by negro children who at present are useless. There is also a plant called silk-grass of which several fine things might be made. The country is also fit for potash, being covered with forest, while it abounds in pitch, tar and naval timber, of which the Bristol men are taking advantage to build ships there. Wheat, rice, Indian corn and other kinds of grain grow in great plenty and are very useful for supply of the West Indies and New England. Fruits also for making of cider, wine, oil and conserved fruits are produced in huge quantities, while the woods supply good store of chestnuts, walnuts, hickory-nuts, chincopins and other shell-fruit of very oily substance. Flax, hemp and cotton grow very fine. There might be a great trade for fish and for whales; and a vast Indian trade for furs. It is an excellent country for dyeing stuffs, curious simples, and choice woods for cabinet making. In many parts there is great store of myrtle-berries, which being boiled up to a wax makes as good candles as the best wax, while the snuff instead of stinking doth perfume like incense. Lastly, there is tobacco, which would be an excellent staple if they would make it without trash; but at present tobacco swallows up all others, and the market is so glutted with bad tobacco that it becomes a mere drug.

§ 2. *Of the several sorts of inhabitants and cultivation.*

In spite of all these advantages Virginia looks outwardly like a wild desert, the highlands overgrown with trees, and the lowlands sunk in swamp and water. The cleared grounds bear no proportion to the uncultivated.

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The inhabitants are of three sorts, Planters, Tradesmen and Merchants. Though the Planters are the most numerous perhaps not a hundreth part of the country is cleared of wood, and not a foot of swamp drained. As fast as the ground is worn out with tobacco and corn it runs up again in underwoods. Many of the places that were cleared are now thicker in woods than before clearing. There are few places where the plough is used, for in their first clearing they cut the trees down two or three feet from the ground and never grub up the stumps. The ground must therefore be tended with the hoe, and by the time the stumps are rotten the land is worn out. Having fresh land, of which they must clear some for firewood, they never recruit the old fields with dung. Of grain and pulse they provide commonly no more than they reckon that their families will require, for there are no towns or markets where they can sell them and scarce any money to serve for a common exchange. The only thing of which they make as much as they can is tobacco, there being always a vent for that at one time or another of the year, and tobacco being the money of the country they buy with it their clothes and household furniture. But the great labour of tobacco being only in the summer-time, they acquire great habits of idleness all the rest of the year. Want of markets and money gives little encouragement to tradesmen and artificers, hence they are few and their labour very dear. Having no market where he can buy what he wants, a tradesman must either grow corn, keep cows and raise stock himself or ride about the country to buy bread, milk and meat. If he finds it he is puzzled to find carriers, drovers, butchers, salting (for he cannot buy a joint or two), and a great many other things which towns and markets would supply. Again much of his time is spent in going to and from his work in dispersed country plantations: his pay is generally in straggling parcels of tobacco, the collection whereof costs about 10 *per cent.*, and the best of this pay comes but once a year, so that he cannot turn his hand with a small stock as tradesmen do elsewhere. Hence tradesmen are few, dear and insufficient. The merchants live better than any others in the country, but suffer many inconveniences which might be avoided if they had towns, markets and money. (1) They are obliged all the year round to sell on trust except just when tobacco is ready. (2) They drive a pitiful retail trade, being in effect but country-chapmen to serve every man's little occasions. (3) They are obliged to trust all their concerns to their receivers who go about among the planters who owe them to receive and mark it for them. If these receivers want skill or honesty it is fatal to the merchant

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(4) They are at the charge of carting the tobacco so received to convenient landings, where they must trust it to seamen to be shipped. If the seamen roll it in bad weather or dirty ways, it is much damaged. (5) The ships wait long for their freight, being collected in such a scrambling manner, and are detained three or four months while they might be dispatched in a fortnight if the tobacco was ready at certain ports. Thus the cost of freight is doubled. In New England the settlers at first were compelled to settle in towns, and not a single man was allowed to take up land until enough were agreed together to form a township, when they laid them out a town with home-lots for gardens, out-lots for cornfields and meadows, and country-lots for plantations with overseers and gangs of hands. There being no such rule in Virginia, they seated themselves without any order in country plantations. The general Assembly has made several attempts to bring the people into towns, but so far ineffectually. One error has run through all their undertakings, viz., they have always appointed too many towns. And this error will continue if the matter be left to the Assembly, for every man desires the town to be by his own door, and, every Burgess setting up one for his own county, they have commonly contrived a town for every county, which at present is impracticable for want of people to inhabit and of money to build them. The Governor and Assembly of Maryland have wisely ordered but two towns, one on the Eastern and one on the Western shore. Two would be enough for Virginia at first; more could be added later. Another error is that they made it unlawful to buy or sell goods imported or exported except at these towns, under penalty of forfeiture of ship and goods. This was a great force upon trade, though there is this to be said, that the merchants having their customers all round their stores in their country plantations needed some force to make them come and live in towns. Some think that the King's appointment of ports for export and import would do the business; and so perhaps it would in the long run, for merchants would probably set up at these ports. But it would be long before the old merchants could be persuaded to leave their country plantations. The matter would perhaps be more quickly and effectually settled if measures were taken to grant privileges to the ports and to discourage country-stores. However, the creation of ports and towns is the one thing needful. Nothing towards it can be expected from the General Assembly unless under a Governor whom they trust to work for their good, like Governor Nicholson, for whom they were willing to force towns into existence with many visible inconveniences. But as soon as he was gone they shewed their old temper, and are daily

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more and more averse to cohabitation. The majority of the Burgesses have never seen a town, and have no notion of any but a country life. For instance, the following argument was used by an ingenious Virginian who had never been out of the country. They might, he said, observe already that wherever they were thickly seated they could hardly raise any stocks or live by one another; much more therefore would it be impossible for them to live when a matter of a hundred families were cooped up within the compass of half a mile of ground. The want of money, which is another great obstruction to improvement, is due chiefly to the Governor, who finds it his interest to encourage tobacco and discourage money dealings. Thus he can get as much of his salary as he wishes in bills of exchange, which are convenient to remit to England, while for his purchases in the country he can buy much cheaper for quit-rent tobacco than for money. For instance, an ox which would cost him £2 10*s.* 0*d.* or £3 he can buy for 600 *lbs.* of tobacco, which he buys from the King at 4*s.* to 4*s.* 6*d.* the hundred. Thus he has the ox for about half the price that it would cost in money. When the Governor thus discourages money-dealing the Auditor is very scrupulous of taking money of the Collectors, the Collectors of the Merchants, the Merchants of the people and the people of one another. This is a natural chain of consequences, for the Auditor has little occasion for money except to pay it to the Governor, nor the Collectors to pay it to the Auditor, nor the Merchants except to pay it to the Collectors for the two shillings *per* hogshead duty, nor the people except to pay the Merchants for their purchases. All this might be cured by a positive order that this duty shall be paid in money, especially if the value of money were fixed. Pieces-of-eight are fixed at at five shillings by law, but the law is imperfect, no weight being assigned, so that a light piece is rejected as clipped and a Peru piece as bad silver. No other coin at all is fixed except English money, which is rarely seen. Last session the Burgesses sent up a bill for ascertaining all coin, but it was thrown out by the Council, without so much as desiring a conference or offering amendments. [*This last sentence is marked and initialled B for Blair.*] It will be well for a common standard of money to be established all over the English Colonies in America. Pennsylvania by appointing eight pieces-of-eight of twelve pennyweights to go for six shillings, and so in proportion, drains all money from Maryland and Virginia. The best piece-of-eight in Virginia goes for 5*s.* and in Maryland for 4*s.* 6*d.*

§ 3. *Of Land, how it is taken up, lapses and escheats.* The method settled by the King in the first seating of the country was to allot 50 acres of land to everyone

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who should adventure into the country. Had this been observed it had been a lasting encouragement to adventurers to come, until the whole country was peopled. But, as matters have been managed, the land has gone from the King and the country is very ill peopled. The first great abuse of this design arose from the ignorance and knavery of surveyors, who often gave out drafts of surveys without even coming on the land. They gave their descripton by some natural bounds and were sure to allow large measure, that so the persons for whom they surveyed should enjoy much larger tracts than they paid quit-rents for. Then all Courts were very lavish in allowing certificates for rights, for if a master of a ship came unto any Court and swore that he had imported himself and so many seamen and passengers at divers times into the country, and that he never elsewere made use of these rights, he presently obtained an order for so many rights (*i.e.* so many times fifty acres of land) and these rights he would sell for a small matter. Perhaps the same seamen at another Court swore that they had adventured themselves so many times into the country and had not elsewhere proved their rights, whereupon they too obtained an order for so many rights. Likewise the masters who bought the servants thus imported would at another Court make oath that they had bought so many persons who had ventured themselves into the country, and obtained so many rights. Thus the land still went away, and the adventurers who remained in the country had the least share of it. Again great liberties were used in issuing certificates for rights by the Country Clerks and especially by those of the Secretary's office, which was and still is a constant mint of those rights, where they may be purchased at from one shilling to five shillings *per* right. The Government connived at these things, thinking it a very pardonable crime that the King's land should be given away to people who had no right to it, since in this way the land was taken up, and the King had so much more quit-rent paid to him, whereas land not taken up paid nothing. But they did not consider that the small profit of quit-rents does not balance the great damage of leaving the country without inhabitants, which is the result of their method, for the King and Kingdom of England gain near two hundred times as much by one ordinary planter as the King would have got by the quit-rent of the fifty acres which he should have had. This may be worked out thus. A usual crop of tobacco for one head is 2,000*lbs.*, which at 6*d. per lb.* (the present duty in England) amounts to £50. Suppose this 2,000*lbs.* of tobacco to be put into three hogsheads, and here is 6*s.* of Virginia duty to the King by the two

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shillings *per* hogshead duty. Then the freight of this at £8 *per* ton comes to £6, which is commonly paid in England, making in all £56 6*s*. 0*d*., besides the increase of ships and seamen and the multitudes maintained by the manufacture of tobacco in England, and of English goods sold to the planter. To find out on the other hand how many acres it will require to make £56 6*s*. 0*d*. out of quit-rents, quit-rent tobacco is sold *communibus annis* at 5*s*. *per* hundred, and taking 24*lbs*. of tobacco as rent for every hundred acres, at that rate £56 6*s*. 0*d*. will purchase 22,520*lbs*. of tobacco, which is the quit-rent of 93,833 acres of land. Hence one man's labour is equivalent to the quit-rents of near a hundred thousand acres of land, which was the quantity allotted for two thousand men. Moreover the quit-rents would not have been lost, but would have been paid at last, when the country came to be peopled. This fundamental error of letting the King's land run away to lie waste, together with another of not seating in townships, is the cause that Virginia to-day is so ill peopled. Everyone who takes out a patent for any tract of the King's land is by the patent obliged to two things, viz: to seat or plant upon it within three years, otherwise it lapses to the King, and to pay quit-rent of one shilling for every fifty acres *per annum*. Seating is reckoned the building of a house and keeping a stock one whole year; it matters not how small the house is, a hog-house serves the turn. Planting, the law reckons to be the planting and tending one acre of ground, no matter how badly. Either of these within three years of the date of the patent saves the whole tract, be it never so large, and this is the cause that, though all the good land in the country is taken up, there is very little improvement in it. Land which is neither seated nor planted after three years lapses to the King, and is called lapsed-land; but it never comes into the King's hand, being due by local law to the first who petitions the General Court for it. When a man dies seised of land in fee without will or heirs, such land escheats to the King, and is thus disposed of. By the King's charter the person in possession has the right of the grant, but of late it depends on the Governor's favour, who accepts that one of the petitions for the benefit of the escheat which best pleases him, and underwrites it thus: "This petition is "granted, paying composition to the Auditor according "to law." The Governor's warrant then issues to the escheator of the precinct, who makes inquisition and finds the office by a jury of twelve men. This inquisition being returned to the Secretary's office lies there nine months, so that any one concerned may traverse the office, and, if no one appears, a patent is passed according to the petitioner's request. The Escheator's

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fee is £5 sterling, and the composition by the Charter is 2 *lbs.* of tobacco *per* acre.

§ 4. *Of the Governor.* It being inconvenient and costly to keep up many officers in the infancy of a government, it is usual to trust all to a good Governor, who nurses it until it wants other tutors and governors. So in Virginia all was at first heaped upon one man, and, what is strange, continues so to this day. This one man (1) as Governor represents the King, in granting his lands, in appointing officers, in calling, proroguing and dissolving Assemblies, in assenting to or dissenting from the laws, in making peace and war, in all the grandeur and ceremony of government. (2) As Commander-in-Chief he raises and commands all militia and land forces, appoints the officers, and builds or demolishes fortifications. (3) As Vice-Admiral of Virginia he takes account of all prizes, commands ships and seamen, lays on and takes off embargos, and does all things that belong to the Admiralty office. (4) As Lord Treasurer he issues the warrants for all payments of public moneys. (5) As Lord Chancellor he passes all land-grants under the great seal and decides all causes in Chancery. (6) As President of the Council he directs and manages all its consultations. (7) As Lord Chief Justice of the King's Bench and Common Pleas and Chief Baron of the Exchequer, he sits and presides in a Court which combines all these. (8) As Bishop or Ordinary he grants all licences of marriage and inductions of ministers, signs all probates and administrations and decides all ecclesiastical causes. These being very large powers, three checks were devised to prevent the abuse of them, the Royal Instructions, the Council, and the General Assembly. At first these were real checks, but the Governors have now found out how to evade them. (1) The Royal Instructions were formerly communicated to the Council and Assembly and recorded in the Secretary's office and the Journal of the Burgesses, as the measure of the Governor's power and the guide in all consultations. But the late Governor's policy was to keep the instructions secret and only to impart to the Council and Assembly such portions as made for their interest or helped them out in case of difficulty. Thus the check of the Instructions was lost, for nobody knew anything of them except some few at Whitehall, and then all was safe so long as no one from Virginia made any complaint. (2) The Governor was appointed to act with the express advice and consent of the Council, who at that time were appointed by the King, held their places during his pleasure, and so were in some sort exempted from dependence on the Governor. But so many ways were found to evade this check that the Council are now and

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always will be by the present constitution at the devotion of the Governor, and ready instruments to advise or do not only what he desires, but what they think will please him. The change came about thus. The King knowing nobody in Virginia, it was thought that the Governor was best fitted to give him right characters of men. Thus the Governor came to recommend men to be of the Council, and by this means he quickly found a way to keep out all but his own creatures. (3) At the first seating of the country, and for many years afterwards, there was much sickness and mortality, which created sometimes many vacancies in the Council. The Governor representing that the King's business might suffer, hereby received authority to swear Councillors to bring the number up to nine, and, this power having been obtained, the number was kept at nine or ten, so that the Governor might choose persons to fill vacancies. (4) After Bacon's rebellion of 1676 (Bacon being a Councillor), it was suggested to the King that if the Governor had had power to suspend him in time, the rebellion might have been prevented. On this new power was given to the Governor to suspend a Councillor, only reporting to the King the accusations against him and his reason in writing. (5) The Council, being generally anxious to get home, contented themselves with giving their opinions on any subject, leaving it to the Clerk to take the minutes and draw up the orders without seeing them fairly drawn or hearing them read in Council. Hence the Clerk, being appointed by the Governor and holding office at his pleasure, would draw up those orders according to the Governor's dictation. Thus not only have the true orders been misrepresented and perverted from their intended sense, but new orders have been framed quite contrary to those voted by the Council. (6) The final stroke which subjected the Council to the Governor's pleasure was his power of bestowing all places of trust and profit in the Colony, and the secret which he discovered of bestowing them all on the Council. This was the infallible means of binding the Council to good behaviour, and not only of freeing himself from all curb but of adding all their powers to his own. The places of the eight Collectors, the eight Naval officers and the four Escheators he gives during his pleasure; those of the Secretary and Auditor are filled up in England, but at his recommendation. Further, every one of them is admitted to farm the quit-rents of a county or two, which brings yearly profit and favour. This is how the Council has become subject to the Governor, giving him its power more absolutely than if it had been vested in him by the King. Had it been so vested in him he would be himself responsible, but now he can shift responsibility on the Council, to escape alike the odium of the people and the displeasure of the King.

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The General Assembly was a great restraint upon both Governor and Council until 1680, up to which time an appeal lay from the General Court (that is, the Governor and Council) to the General Assembly. Moreover there was always a joint Committee of private causes, wherein the Burgesses were three to one of the Council, to hear appeals from the General Court. But there arose a dispute between the Burgesses and the Councillors on this Committee, the Burgesses alleging that Councillors ought not to sit to hear appeals from their own judgments in Council. Lord Culpeper, who was very dexterous in seizing all advantages to his interest, so represented the matter at home that the appellate jurisdiction of the General Assembly was abolished, as contrary to the laws of England, and appeals from the General Court were permitted to the King and Council only, and then only in causes exceeding £300 in value, after security given to defray costs and damages. Since then the people have groaned under the arbitrary oppression of the General Court, which is subject to the sway of one man. All the Courts of England are merged into one in Virginia, and the same men are judges in all. Means have also been found to prevent the representation of grievances by the General Assembly to the King. In the first place the assent of the Governor and Council can never be obtained, and the representatives of the Burgesses only have less weight than those of the General Assembly. Secondly, the Governor has many ways of making an interest in the House of Burgesses. Having the nomination of all the militia officers he has a great stroke in the election of Burgesses, as also by the nomination of the Justices and the Sheriff. The latter is always his fast friend, holding a good profitable place at his pleasure, with the collection of the county-levy and often the parish-levy, on which he receives 10 *per cent.* The Sheriff's place being granted anew every year, there is a constant temptation to a great many pretenders to manage the election of Burgesses in the Governor's interest. After two Burgesses are chosen, one is very apt to be gained by the hope of becoming sheriff next year, while, if either of them be a bold man in the House, the appointment of him to be Sheriff removes him from it. Thus the Governor can either gain one of the two Burgesses for each County, or lay him aside so that he can do him no hurt. If the Burgesses be so maddened by oppression that they draw up a petition against the Governor and Council to the King, the Governor and Council are sure to have friends enough among them to obtain information of the same before the petition can be passed. Even if the Burgesses keep the secret, it will be betrayed by the Clerk, who enjoys a very profitable place by the Governor's gift and

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held during his pleasure. (This is an innovation, for till King James's reign the Burgesses appointed their own Clerk.) The design being betrayed, the Governor defeats it at once by a dissolution. Even if both Burgesses and Clerk keep the secret, and the petition be drawn, and an Agent employed to manage it at the Court, still this is a business of expense, and the Burgesses, being unable to raise money without consent of the Goveroor and Council, must defray the charge from their own pockets.° About thirteen years ago, when the Burgesses had the nomination of their own clerk, the Burgesses drew up such a petition against the extortion of extraordinary fees by Lord Effingham. The business getting wind before the petition was finished and read, Lord Effingham summoned the Burgesses to come to him. The Burgesses knowing that he would dissolve them, first despatched and signed their petition, and sent their Clerk and one of their members to deliver it at Whitehall. But instead of being delivered to the King, the actual document was sent back to Lord Effingham, with an account how it came into their hands. Lord Effingham thereupon, to make an example of them, turned the one out of his place of Clerk of the Burgesses and Surveyor, and disbarred the other, who was a lawyer, from pursuing his practice.° [*The passage from° to °is marked* H[artwell] *and* C[hilton].] Thus it is plain that the door is shut against the Burgesses if they present any grievances to the King, while to a private man the thing is so improper, costly and dangerous, that one can rarely be found to do it. For many years the Governor's salary was £1,000 a year, with perquisites added by the Country to the value of £500. The General Assemby passed an Act adding £200 a year to Sir W. Berkeley's salary, with a provision that this should be no precedent. But Lord Culpeper, who was one of the most covetous and cunning men in England, persuaded King Charles to raise the salary to him, when he became Governor, to £2,000 a year besides perquisites and £150 *per annum* for house-rent. And as the first cause of this has been forgotten, the same salary is now paid to Sir Edmund Andros, who has been Governor since 1692, out of the two shillings *per* hogshead duty.

§ 5. *Of the Council.* It has already been stated how and why the Council are so subservient to the Governor that their power and authority is so much addition to his. It is necessary only to mention the places that they hold. (1) They are the Council of State, and in the vacancy of a Governor and Lieutenant-Governor the senior Councillor is President. (2) They are the Upper House of Assembly, like the House of Peers in England. (3) They are by Custom (not by Commission) the supreme judges in all causes; and no appeal lies

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from them except to the King in Council. (4) They are the Colonels of the Counties, corresponding to Lord Lieutenants in England. (5) They are the Naval Officers, who execute all laws as to trade and navigation and clear and enter ships, charging fees of between £3 and £4 *per* vessel. (6) They are Collectors of all imposts raised by the General Assembly, on which they receive 10 *per cent.* salary. They are also generally Collectors of the penny *per lb.* export duty on tobacco exported to other Colonies, and for this receive 20 *per cent.* But to this they are nominated by the Commissioners of Customs. (7) They are Farmers of the quit-rents in their several counties, which are generally sold to them by the Auditor with advice of the Governor at very easy rates. (8) The Secretary, Auditor and Escheators are selected from among them, and if any good escheated land, or good land of the King's to be taken up, falls in, they have the preference of other people. They also enjoy freedom from arrest; and have a salary of £350, which is proportioned by the Governor according to their attendance. The Council meets when summoned by the Governor, and they together correspond to the King in Council in England. The present Clerk of the Council is Robert Beverley, with salary of £50 a year and perquisites. The present Councillors are, Ralph Wormeley, Secretary, Collector and Naval Officer of Rappehannock River; Colonel Richard Lee, Collector and Naval Officer of Upper Potomac River; Colonel William Byrd, Auditor; Colonel Christopher Wormeley, Collector and Naval Officer for Lower Potomac River; Colonel Edward Hill, the same for Upper James River; Colonel Edmund Jenings, the same for York River; Colonel Daniel Parke, the same for Lower James River and Escheator between James and York Rivers; Colonel Richard Johnson, Escheator between York and Rappahannock Rivers; Colonel Charles Scarburgh, Collector and Naval Officer on the Eastern Shore; and Mr. John Lightfoot, just appointed; we know not if he has any place. °In 1693 it was thought fit in England that some one representing the clergy of Virginia should sit in Council, and Mr. James Blair, the Bishop of London's Commissary, was accordingly appointed by the King in that year. In 1694 he was suspended on a frivolous charge of speaking words reflecting on Sir Edmund Andros, without any proof in writing, just before the public accounts were about to be submitted to Council. The suspension was removed by Royal Warrant in 1695, and a clause was inserted in the warrant that Mr. Blair was to be continued in the Council until the King was satisfied that he had forfeited his Majesty's good opinion. An Act of Parliament to prevent frauds in the Customs was sent to Virginia together with that

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warrant, and it was ordered that this Act should be read again just before the accounts in 1696 were presented, and after Mr. Blair had taken out his pass to return to England. A clause of the Act lays down that all places of trust in the Courts of Law or relating to the Treasury in Virginia, should be held by native-born subjects of England; and, since the Council sit as judges in the General Court, they voted Mr. Blair, as a native-born subject of Scotland, to be out of the Council.° [*The passage from ° to ° is marked and initialled* H[artwell], B[lair].] The multitude of places held by the Council causes great confusion, as when the Councillors pass their own accounts as Collectors, or in different capacities both buy and sell quit-rents, or as Escheators, return the inquisition of Escheats and as judges pass sentence upon the same.

§ 6. *Of the Laws and Legislative Power.* It is a great misfortune to the Country that it is not clear by what law it is governed. All agree that the two fountains of their law are the laws of England and the Acts of their General Assembly; but how far both or either of these is to take place lies in the Judges' breast, and is applied according to their particular affection to the party. Sometimes it is said that of the law of England only that part is to be regarded which was in being at the first seating of the Colony and none of the later laws, except when the Plantations in general or Virginia in particular are mentioned. At other times they pretend to observe all the laws of England. Sometimes when the laws of England and Virginia differ, the Virginian law is preferred as being suited to their particular circumstances. At other times the advantage is given to the English law, on the ground that legislative power was granted on condition that nothing should be enacted contrary to the laws of England and the Royal prerogative. Legislative power is lodged in the Government and the two Houses of Assembly. The Upper House consists of the Council, though the Governor constantly sits with it and directs the votes and consultations. The Clerk of Council is appointed by the Governor and holds office during his pleasure; his salary is 10,000*lbs.* of tobacco every session. The Lower House consists of two Burgesses elected by every county, one elected by Jamestown, and one elected by the President and Masters of the College. The Speaker is chosen and claims privileges as in the House of Commons. The Assembly being called by the Governor's writs and the election being made, there is commonly a Court, called the Court of Claims, held in each county, where all that have any claims upon the public put them in with the Burgesses, together with their grievances or propositions, if they have any. There is no better way of learning the pressures,

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humours, common-talk and designs of the people than to peruse the Journals of the House of Burgesses, and of their Committee of grievances and propositions. The Speaker chosen, the Burgesses proceed first to elect a Committee of electing and privileges, a Committee of claims and a Committee of propositions and grievances. Formerly there was a fourth Committee of private causes, but this was destroyed, as already narrated, at Lord Culpeper's coming. The Clerk of the Burgesses was chosen by them until 1684, when, upon the sending home of the Burgesses' petition by Colonel Milner, Lord Effingham claimed the power of turning him out and putting another in his room. The point has been often controverted between the Governor and Burgesses, but at present the Governor appears to have wrung it out of their hands by giving a commission for the post to Peter Beverley. His salary is 20,000*lbs.* of tobacco for every session, besides 300*lbs.* of tobacco for every copy of the laws made in one session, which he sends to the various County Courts. He has also other fees. Every County Burgess receives 120*lbs.* of tobacco *per diem* to defray his expenses, together with man and horse if he comes by land or a boat and hands if he comes by water; all of which is levied on the county that sends him. All laws passed by the two houses and the Governor are laws *pro tempore*, until the King's pleasure be known, and of this nature are most of their laws, that is, liable to be repealed at the King's pleasure, but once ratified by the King they can only be repealed by the King and General Assembly. There being a great scarcity of able lawyers and wise politicians in the country, very few of their laws have been so well drawn and passed at the beginning as not to have discovered, after experience, many errors and imperfections. These they have endeavoured to patch up and mend with subsequent laws, or by substituting a new law for an old one. By this means the body of the laws is not only long and confused, but it is hard to know what laws are or are not in force, several of them having been repealed by proclamation and several by Act of Assembly. To remedy this several Assemblies have entered upon a useful work of revision, but the work is so great and their other avocations so many that it is not yet brought to perfection. Till this work is finished most of their laws are likely to remain without applying for the Royal Assent. We may add that the laws want revision not only to bring them into order and method, but to pare away some of them that seem inconsistent with law and equity, and are apt to bring disparagement upon the legislation of the country. By a law of 1663 no debt is recoverable in the country, unless the goods for which it became due be imported, so that if a man

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become bound here or in any other part of the world for his necessary subsistence, the obligation is of no validity, not even if the goods for which the bond is passed be actually shipped and by some misfortune perish by capture or shipwreck—not even though the debtor become rich after that time. There are several other laws of the like nature.

§ 7. *Concerning the Administration of Justice.* The Courts are not distinct as in England, but all causes whether belonging to Chancery, King's Bench, Common Pleas, Admiralty or Spirituality are tried or decided in one and the same Court. If anyone thinks himself injured at Common Law and appeals to Chancery, he only desires an injunction in Chancery and has another hearing but in the same Court. For all causes there are two sorts of Courts, the County Court and the General Court. There is a County Court in every County which consists of eight or ten gentlemen of the County, to whom the Governor gives a Commission during pleasure to act as Justices of the Peace. Commonly he renews the Commission every year, for that brings fees and enables him to admit into it new favourites, and to exclude those who have not been zealous in his service. These Justices take the oath of a judge with the other oaths of allegiance etc. They hold a Court once a month or, if there be little business, once in two months. They have the power to decide all sorts of causes, beyond value of twenty shillings or 200 *lbs.* of tobacco, except such as extend to life and limb, which are reserved for the General Court, to which also appeals lie from the County Courts. These County Courts have always been held by country gentlemen of no education in the law, so it is no wonder if the sense of the law was mistaken and the method of proceeding often very irregular. But of late the insufficiency of these Courts has been much more felt than in former times, while the first stock of Virginia gentlemen lasted. These having been educated in England were far better accomplished in the knowledge of the world than their children and grandchildren, who have been born in Virginia, and have had generally little more education than to read, write and cast accounts, and that very indifferently. The General Court (so called because it tries the causes of the whole country) is held twice a year, in April and October, by the Governor and judges in Jamestown. It is strange that they never had a commission for holding this Court, nor took the oaths of judges. Perhaps the Crown did not contemplate that they should hold it, for not only are they unskilful in the law, but it is thought inconvenient in all Governments that the justice and the policy of the Government should be lodged in the same persons. They should rather be a check upon each other, and

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therefore the Governor had power with the advice of the Council to erect Courts of Judicature; but that they should make themselves the Supreme Court of Judicature arises either from the spirit of engrossing all power into their own hands or perhaps from the poverty of the community in its infancy, which could not afford to maintain judges skilled in the law; for it must be acknowledged that this confirmation was of earlier date than the others. These last mostly originated with Lord Culpeper's Government, when the Government of Virginia, which before had been a business of care and danger, became one of advantage again. However this may be, it is a continual grievance in the country that if a man be injured in law or equity he can appeal to no superior without the infinite charge of carrying his case to Whitehall, which few in Virginia have the purse or skill to manage. We are confirmed in that view that this abuse was not intended by the original modellers of the Government by the fact that in all other Colonies, British and foreign, judges were appointed distinct from the Governor and Council. Any cause exceeding £16 or 1,600*lbs.* of tobacco in value may begin in the General Court, and by appeal any cause whatsoever may be transferred to it, whether of Chancery, King's Bench, Common Pleas, Exchequer, Admiralty or Spirituality. No appeal now lies from this Court except to the King in Council, and then only when the value exceeds £300 and also due security is given. The forms of proceeding in the General Court are in almost every respect disagreeable to the laws of England and very irregular. Original and judicial writs run not in the King's name, but resemble those of Justices of the Peace. Petitions are used instead of formal declarations, and there is no method observed in pleading. There are not above four several original writs allowed of. No writs or error are allowed of, appeals being used in their place. By a rule of the General Court no new matter is to be moved upon an appeal. By law of the Country the Sheriffs are obliged to return that the writs issued to them are executed, and this return they must make three days before the hearing in the County Court; otherwise they are to be fined. Notwithstanding this, during our residence in the Country we never heard of any writs issued from the County Court but the sheriffs *colore officii* made arrests without them, which caused great troubles and is not yet set right. No *venire* issues for summoning juries except in criminal cases, and then only six are returned from the vicarage. The sheriff returns juries summoned without any authority and they are not out of the vicinage but often out of places very remote from that where the fact arises. Many times men of other counties are of the jury, nay sometimes the whole jury. There is no panel

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returned into the office. The Sheriff when the jury are to appear calls out their names, and those he knows from his pocket book or a scrap of paper which he holds in his hand. Coroners are not elected by the County, but receive Commissions from the Governors. The granting of probates and administrations is lodged by law solely in the County Courts, yet the General Court often grants them. All this is against law, so it may be of ill consequence. Though the County Courts grant administrations and probates, yet the Governor signs them or appoints others to do it. Sometimes administrations and probates are granted by a County Court though no part of the estate lies within the County.

§ 8. *Concerning the Secretary's Office.* It is almost impossible to give a perfect account of this office, for there is such a medley in it as is scarce credible. It comprehends all the offices in England and more, which makes it most difficult to keep in order. All proceedings relating to the General Court are there recorded; all conveyances, letters of attorney and other writings from foreign parts are there entered; all surveys are sent thither; also Commissions, both civil and military, go from thence; when land escheats to the King the inquisitions are returned thither, the grants pass from thence and the warrants upon which they are grounded. The Clerks of the County Courts are obliged by law to return in this office an annual account of probates and administrations granted in their Courts; and all probates and administrations granted in foreign parts, but relating to Virginia, are there recorded. All rights on which patents are grounded are there entered. All writs for election of Burgesses are issued thence and returned thither. All original and judicial writs relating to proceedings in the General Court issue from thence and are thither returnable. All certificates of births, marriages and deaths are returned thither; all fines and forfeitures are certified thither; all matters relating to the duty of a Coroner are returned thither. All admissions, institutions and inductions are there entered; all freedoms of ships are there recorded; all naturalisations and denizations are issued thence and are there entered. By local law no person who has lived long in the Country can leave it without a pass, which generally issues from that office. All appeals from County Courts are returned thither, as also all certificates of licenses of ordinary-keepers. All matters relating to the Admiralty and Ecclesiastical Courts are registered there. The Secretaries, who seldom or never understand or mind this office, have all the profits belonging to all the foregoing and to many other matters. They naturally appoint a Clerk, who is called Clerk of the General Court; there are generally one or two other clerks under him,

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who take no oath and give no security to discharge their duty. The Secretaries themselves are properly the Clerks of the General Court, for they receive all the profits arising from that place and allow only a salary to him who discharges that duty, yet the Secretaries sit always as Judges of that Court. There are many patents and other records in that office in loose torn pieces and scarce legible, and if some speedy care be not taken they will become of no use. If two patents of the same date be granted for the same land, the first that is entered in record is preferred, but to obtain that favour it has been usual to give a gratuity to the Clerk, who formerly for such gratuity used to enter the patents immediately on record before they were either signed by the Governor or sealed with the Colony's seal. In such cases no date was inserted, the Clerk not knowing on what day they might pass. Many of these patents are entered on record without any date and for some cause were never passed at all. The Governor signs all patents: there is a recital in them that the Governor grants the land by and with the advice and consent of the Council, yet the patents are never read by the Governor nor in Council, nor do the Council take any notice of them. The Secretaries likewise sign all patents, after inserting the words "compared and agrees with the original;" but he neither reads nor compares any of them; and in truth the patent which he signs is original itself.

§ 9. *An account of the public money and tobacco.* First a brief account must be given of the Sheriff's, Collector's and Auditor's offices. The Sheriff is the officer who executes all writs, etc., and is the public Collector of all tobacco for the county's or country's use, and all the King's quit-rents. It is only in his function of Collector that he is here considered. The Collectors collect all money-duties. The Auditor audits the Collector's accounts, to which he sees them sworn before the Governor; he also takes in the Sheriff's accounts of quit-rents which he sells by the Governor's advice. He is the Receiver-General of all public money and keeps it until it is issued out in the King's or the Governor's warrants. He sends his accounts to Mr. Blathwayt, Auditor-General of the Plantations. There is a sort of taxes in Virginia known as levies. This is a poll-tax paid every year for the use of the parish, county or country, and so is called parish-levy, county-levy, and public-levy. These levies are paid in the hands of all titheable persons, etc., all slaves, both male and female, and all white men over sixteen years old. In the beginning of June, and before the 10th of the month, all masters of families are obliged to give in a list of titheable persons within their families to a Justice of

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the peace in their district, who is obliged to give it in at next County Court. It is then affixed on the church-door so that if any titheables be not listed they may be discovered; for it is every man's interest to have the list of titheables as full as possible, it being so much ease to him in his own levy. There is a great penalty on any master who conceals a titheable—loss of all slaves if a slave be concealed, or a fine of 2,000*lbs.* of tobacco if it be a free man or woman. The lists being thus taken the three levies are raised as follows. For the parish-levy the vestry generally meets some time about October (when the tobacco is ready) and makes a computation of the parish debts for that year, viz. so much for minister's salary, so much for the Clerk's, so much for building, repair, etc. of the church, so much for the poor. They then add 8 *per cent.* to that part of it which is to be paid with cash, and 5 *per cent.* (in some places 10 *per cent.*) for collection; and divide the whole sum (for all levies in tobacco) by the number of titheables in the parish list. The churchwardens are obliged to collect this from the masters of families, and to pay it to the persons to whom it is due, and at the Easter vestry they make up their accounts with the vestry. The same method is observed with the county-levy. The Justices meet and compute the county's debts, viz.: Building and repair of court-house and prison, upkeep of bridges, causeways and ferry-boats, cost of coroner's inquests, and (what is the greatest charge of all) the allowance for the two burgesses at the General Assembly if there have been any that year. All which charge, with 8 *per cent.* for cash and 10 *per cent.* for collection, is divided equally among the titheables for the county and collected and disbursed by the sheriff, who at some subsequent County Court makes up his account with the Justices. The public levy is laid by the General Assembly as follows:—The burgesses appoint a Committee of Claims to which all who have anything due from the public bring their claim, and they make a computation of the public charges of the country, viz., salaries of the clerks of both Houses and of Committees, and of the messengers, doorkeepers, etc., charge of present forces maintained by the country, of writs for Assemblies, repairs of the State-House, rent of Council Chamber, costs of taking up runaway servants, etc. 8 *per cent.* is then added for cash and 10 *per cent.* for collection and the whole is divided equally among the titheables of the whole country, now about 20,000 in number. This public-levy is raised by Act of Assembly and is gathered together with the county-levy by the sheriffs. The churchwardens generally throw the parish-levy in with it, so that the sheriff collects all three. The parish, county and country-taxes have always been thus levied in Virginia, not laid

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upon land, houses, cattle, etc., but only by the number of titheables. The land they think pays tax enough in the quit-rents, and their trade by the two shillings *per* hogshead upon tobacco, besides customs in England and other ports. Their stocks of cattle, horses, etc., they turn to so little account that they think it unreasonable to tax them. Their servants and slaves, being the most considerable part of their estate, are the only rule which they observe in laying the levy. These three levies may amount *communibus annis* to about 100 *lbs.* of tobacco for every titheable. None of these come into the Auditor's hands as do the customs and revenues next following, viz. (1) The King's quit-rents, of one shilling *per annum* for every fifty acres, paid generally in tobacco at one penny *per* pound, which is 24 *lbs.* of tobacco for every hundred acres. The quit-rents of the Northern Neck, the great tract lying between the Rappahannock and the Pocomoke, are however paid to Lord Culpeper's heirs. (He once had a thirty years' grant of all the quit-rents of Virginia, but this put the people into such a flame that King Charles II. bought it off with a pension of £600 upon the establishment of the Horse Guards in England). The quit-rent tobacco of the rest of Virginia is paid by the landlords to the sheriffs, who are allowed 10 *per cent.* by the King for collecting them. The Sheriff collects the rent by the old rent-rolls and by such information as he can get of the land that is taken up lately. The tobacco is then sold privately by the Auditor with the Governor's advice at very easy rates to the Councillors, the Governor and Auditor also buying some share. They pay for it in money or bills of exchange, which appears by their receipt to the sheriff, who makes up the accounts with the Auditor, who sends the account annually to Mr. Blathwayt, but keeps the money until it is drawn out by warrant of the Lords of the Treasury. For this receiving and paying the Auditor receives 7½ *per cent.*, and the revenue from quit-rents amounts to about £800 a year. There has been much talk of concealment of quit-rents and of compositions with the Governor and Auditor, but we can give no account of it nor of the balance of this fund now in the Auditor's hands, which is a secret between him, the Governor and Mr. Blathwayt. The quit-rents thus in bank in 1692 were about £2,500, besides £1,985 then granted from the quit-rents towards the building of the College. (2) The duty of two shillings on every hogshead of tobacco exported from Virginia was granted by the King by Act of Assembly for the use of the Goverment, as also the fort duties, being fifteen-pence *per* ton upon all ships trading thither, together with the fines and forfeitures on all Acts of Parliament and Assembly. The

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total of this account is somewhat less since a late law of Sir E. Andros's time about the size of tobacco hogsheads, which has enlarged them about a fifth part and consequently diminished the King's revenue about so much.[o] *This sentence is marked H.B.* The whole of this account may now amount *communibus annis* to £3,000 sterling. Out of this there is paid to the masters of ships (to encourage them to give a true account) 10 *per cent.*, to the Collectors 10 *per cent.*, to the Auditor who receives it from the Collectors 7½ *per cent.* The remainder is paid by the Governor's warrant for the following purposes: Governor's salary £2,000 a year, Governor's house-rent £150, to the Council £350, to the Clerk of Council £50, to the Attorney General £40, to Mr. Blathwayt £100, to Mr. John Povey £100, to a messenger £25, to two gunners about £25. The present Collectors are Colonels Edward Hill, Daniel Parke, Edmund Jenings, Ralph Wormeley, Christopher Wormeley, Richard Lee, Charles Scarburgh. This revenue would turn to better account if there were certain ports for exportation and importation and if the Collectors kept their offices convenient, for many of them live at a great distance and trust their duty to unsworn deputies and they to unsworn masters of ships and other exporters. The Collectors are commonly paid this duty in money or bills of exchange. They pay it in to the Auditor, who for fashion lays the accounts before the Governor in Council. But nobody offers to say anything to it, and it is by him transmitted to the Auditor General, Mr. Blathwayt. What becomes of it afterwards we know not. In 1692, when Colonel Nicholson left, there was remaining in cash in the Auditor's hands £1,500 to the balance of this account, which is since spent, and the account is further in debt to the Auditor about £4,000 sterling. (3) There is a revenue of one penny *per lb.* upon all tobacco exported from one American plantation to another, granted to the King by Act of the English Parliament. It is provided in this Act that if the exporter have not ready money he shall pay to the value of it in the commodity which he exports. The nomination of the Collectors and the inspection of the revenue is by this same Act entrusted to the Commissioners of Customs in England. The King in 1692 gave this revenue in Virginia and Maryland to the College in Virginia as a perpetual fund for the maintainance of the President and Masters. The College allows 20 *per cent.* of it to several Collectors nominated by the Commissioners of Customs, and 5 *per cent.* to the Auditor of Virginia, who is Treasurer to the College. The estimated price of the commodity in lieu of the penny *per lb.* duty has hitherto been fixed by the Governor and Council at one *lb.* of tobacco for one penny,

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which is much higher than the estimate which they make for the quit-rents. The accounts of this revenue are yearly audited by the Governors of the College, who see the Collectors sworn to them before the Governor and transmit them to the Commissioners of Customs. The clear produce of this revenue in Virginia to the College in something better than £100 *per annum*. The present collectors of the penny *per lb.* are Edward Hill, Peter Hayman, Edmund Jenings, Christopher Wormeley, Charles Scarburgh, and Nicholas Spencer. (4) Any duty accidentally voted by the Assembly is collected by the Collectors of the two shillings *per* hogshead, who are allowed 10 *per cent.* salary. They pay it to the Auditor, who is allowed 7½ *per cent.*, and it is paid under the Governer's warrant for purposes appointed by the Act of Assembly. The accounts are laid before the House of Burgesses, to satisfy them as to the amount raised and its expenditure. The Burgesses have also claimed to nominate a Treasurer for all money voted by themselves, without putting it into the Auditor's hands, which Treasurer should pay it away by their immediate order, without the Governor's warrant. This privilege being denied them, they are much more averse to the raising of money. Perhaps their refusal to renew the impost of a groat a gallon on liquors is to be attributed partly to this, and partly to the Council's refusal to ascertain the value of coin.

§ 10. *Concerning the Militia and other forces.* All white men bear arms and are listed in companies of foot and troops of horse in their several Counties. The Governor is Lieutenant-General and commands all the forces. The mustering of the militia used to be a part of the Governor's care,° but Sir Edmund Andros being disabled from riding is obliged to leave it to others, so that the musters at present are much neglected.° *The passage ° to ° is marked B [lair].* Under the Governor the chief command in every County is committed to a Councillor, with the title of Colonel. But if the command of any County lies very remote from all the Councillors, the Governor gives the post to another person with the title of Major. The Governor, by the advice of the Colonels and Majors, issues commissions to the Captains and Lieutenants, and the Colonels themselves name the inferior officers. Besides the Militia the Assembly empowered Governor Nicholson, when Lieutenant-Governor, with the advice of the Council, to raise such forces as he should judge necessary for the defence of the Country, and this power has been continued annually to the Governor ever since. At present by Act of Assembly a Lieutenant and twelve troopers are kept in constant pay at the heads of the four great rivers, James River, York River, Rappahannock and Potomac, under the title of Rangers, their business

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being to range the woods, to look out for the Indian enemy, which is commonly a remote nation of Indian robbers who, if not looked after, will plunder the frontier.

§ 11. *Concerning the Church and Religion.* The inhabitants generally profess to be of the Church of England, which accordingly is the Church Established. There are few or no dissenters, not enough to set up a meeting-house, except three or four meetings of Quakers and one of Presbyterians. The country is divided into fifty parishes, in most of which are two, sometimes three, churches and chapels. Yet some of the parishes are very small in proportion to the rest, so that they cannot maintain a minister. The reason for this was that these parishes were in the most fertile and lovely spots of ground, where the first colonists did chiefly settle, and very likely, when the first division of parishes was made, it was thought that towns would be built in these places, whereupon they assigned them but a small compass of country. But this design miscarrying, it is a pity that a more convenient division is not ordered. As to the Government of the Church, it was placed, as all things else, from the first in the Governor's hands. By local law the Ministers were obliged to produce their orders to him, and to shew that they had episcopal ordination. By local law there is in every parish a vestry of twelve, chosen by all the masters of families in the parish. They have power to continue themselves, for as one dies or leaves the parish the vestrymen choose another in his room. These vestrymen lay the parish-levy and manage all other parochial matters. The power of presenting ministers is vested by law in them, but the law on this point is little observed owing to the prevailing custom of making agreements with their ministers, which they call by a coarse name, hiring the minister. So that they seldom present any ministers, in order that they may keep them in the more subjection and dependence. This custom has had many bad consequences. No good ministers that were aware of it would go to the country, and if they came ignorant of it they quickly felt its effects in the high hand with which vestries managed their power, and left the country as soon as they could. The mansion-houses, if there were any, quickly went to decay, the minister holding his living so precariously that he could not be expected to bestow much on repairs, and very often the glebe was not in his hand. He stood also on so precarious terms that he must have special care how he preached against any of the vices of the great men of the vestry; for if he did he might expect a faction in the vestry against renewing his agreement for another year. In short many ministers were turned out by the

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vestries, without any crime proved nor so much as alleged against them. And this is the case at this day; they are only in the nature of chaplains and hold their livings by annual agreement with the vestries, at the expiration of which the minister is dismissed or retained at the vestry's pleasure. Hence it is that the country is very ill provided with ministers, there being not so many ministers as parishes. The Governor connives at this, and though he is Ordinary never presents *jure devoluto*, so that really many parishes choose to be without a minister, for by that means they save all the minister's dues to their own pockets. The annual salary of ministers is fixed by law at 16,000*lbs.* of tobacco without cask. This tobacco is levied by the vestry on the parish according to the number of titheables and collected by the Churchwardens with the rest of the parish-levy. They have 5 *per cent.* for their pains. King Charles II. gave the Bishop of London jurisdiction over all the churches in the English plantations, except as to three things, viz., marriage licences, probate of wills and inductions of ministers, which are reserved to the several Governors. In Virginia the Bishop of London deputes a Commissary for this part of his jurisdiction, whose business it is to make visitations of the churches and take inspection of the clergy. The present Commissary is James Blair. He has no salary nor perquisites, but by the King's bounty he was allowed £100 for two years out of the Virginia quit-rents, which we suppose will be continued.

§ 12. *Concerning the College of William and Mary in Virginia.* In 1691, Colonel Nicholson being Lieutenant-Governor, the General Assembly considering the hard circustances of the country for want of education for their youth, went upon a proposal for a College to which they gave the above name. They proposed that there should be in it a Grammar School to teach Latin and Greek, a Philosophy School for philosophy and mathematics, and a Divinity School for the Oriental tongues and divinity; for it was part of their design that the College should be a seminary for the breeding of good ministers. They appointed what masters should be in each of the schools and what salaries they should have. For the government and visitation they appointed a College Senate of eighteen or not exceeding twenty, who were then the Lieutenant-Governor, four Councillors, four of the Clergy and the rest named by the Burgesses, with power to elect successors in case of vacancies. On their petition the King granted them a Charter for the College, and contributed very bountifully towards the building, giving near £2,000 in ready cash from the bank of quit-rents, in which Governor Nicholson left at that time about £4,500; and towards the endowment the King gave the net produce of the penny *per lb.* in

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Virginia, worth £200 a year, the Surveyor's General's place (worth £50 a year) and the choice of 10,000 acres in Pamunkey Neck, and 10,000 more on the south side of Blackwater Swamp, which at that time were tracts prohibited to be taken up. The General Assembly also gave the College a duty on skins and furs worth over £100 a year, and subscriptions to the amount of about £2,500 were collected for the building. With these beginnings the Trustees went to work, but their good Governor Nicholson, the greatest encourager in Virginia of that design (in which he laid out £350 of his own money) was at that time removed, and another put in his place of a different spirit and temper. The Trustees found the business go on very heavily, and such difficulties in everything, that presently upon the change of Governors they had as many enemies as formerly they had friends, such universal influence and sway has a person of that character in all affairs of Virginia. The Councillors who had been the forwardest to subscribe are the backwardest to pay. Then everyone was for finding shifts to evade and elude their subscriptions, and the meaner people were so influenced by their example (men being easily persuaded to keep their money) that not one penny was got of their subscriptions nor paid of the old subscription of £2,500, except about £500; nor durst the Trustees put the matter to the hazard of a lawsuit, where this new Governor and his favourites were to be their judges. Thus it was with the funds for building; and they fared little better with the funds for endowment, for, notwithstanding the first choice of land granted to them by the Charter, patents were granted to others for vast tracts of land, and everyone was ready to oppose the College in taking up the land. Their survey was violently stopped, their claim broken, and to this day they can never get possesion of the land. But the Trustees, encouraged by a gracious letter from the King to the Governor to encourage the College and remove obstructions, went to work and carried out one half of the designed quadrangle of building, advancing money out of their own pockets where the donations fell short. They founded their Grammar School, which is in a thriving way, and having clear right and title to the land would not be baffled in that point, but have struggled with the greatest man in the Government next to the Governor, *i.e.* Secretary Wormeley, who pretends to have a grant *in futuro* for no less than 18,000 acres of the best land in Pamunkey Neck. The cause is not yet decided, only Mr. Wormeley has again stopped the claim, which it is not likely that he would do unless he knew he would be supported. The Collectors of the penny *per lb.* also are very remiss in laying their accounts before the Governors of the College, according

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to the orders of the Commissioners of Customs, so that illegal trade is carried on, and some of these gentlemen refuse to give any account on oath. This is the present state of the College. It is honestly and zealously carried on by the Trustees, but in danger of being ruined by the backwardness of the Government. *Signed*, Hen. Hartwell, James Blair, E. Chilton. 77 *pp.* [*Board of Trade.* Virginia, 6. *Nos.* 81, 81 I.; *and* 87. *pp.* 129-196.]

Oct. 21. **1,397.** William Bridges, Agent for Barbados, to William Popple. Mr. Eyles and Mr. Littleton being still out of town I have endeavoured to consult the gentlemen interested in Barbados as to transplanting disbanded soldiers to that island, but several of those best able to give an answer are still in the country, and I fear that it will be Monday before we can reply. *Signed*, Wm. Bridges. 1 *p.* *Endorsed*, Recd. Read 21 Oct., 1697. [*Board of Trade.* Barbados, 7. *No.* 43.]

Oct. 21. Whitehall. **1,398.** James Vernon to Council of Trade and Plantations. The Lords Justices have had occasion to enquire why some convicts ordered for transportation have not been sent away. They are told that the merchants have greater difficulty in disposing of them than formerly by reason of laws made in some of the plantations against receiving any such convicts. The Lords Justices are surprised to hear this, and wish to be informed where this has been enacted and in what manner. *Signed*, Ja. Vernon. ½ *p.* *Endorsed*, Recd. Read 22 Oct., 1697. [*Board of Trade.* Plantations General, 4. *No.* 68; *and* 34. *p.* 185.]

Oct. 21. Whitehall. **1,399.** Order of the Lords Justices of England in Council. That the Council of Trade do forthwith cause the proclamation of peace with the French King to be sent to the several Plantations, with orders to cause the same to be published, and to direct all privateers and commanders of ships to cease hostilities. *Signed*, John Nicholas. ½ *p.* *Endorsed*, Recd. 23rd. Read 25 Oct., 1697. *Annexed*,

1,399. I. Copy of the proclamation of the peace made with France at Ryswick on 10 September, 1697. *Dated*, 18 September, 1697. *Printed.* 1 *p.* [*Board of Trade.* Plantations General, 4. *Nos.* 69, 69 I.; *and* (*without enclosure*) 34. *p.* 186.]

Oct. 21. Whitehall. **1,400.** Council of Trade and Plantations to the Lords Justices of England. On the petition of Thomas Bulkley we report to you as follows. Mr. Bulkley has produced an affidavit of Mr. John Warren, late of the Council of the Bahamas, confirming several of his allegations. He also desired us to obtain answers from one John Graves to certain queries, which we accordingly required Graves to do, when it appeared that he was a chief instrument of Cadwallader Jones, while his evasive and imperfect replies strengthen us in believing the truth of Bulkley's statement. The Lords Proprietors of the Bahamas to whom we referred the petition, with a request for a sight of their Patent, have after long delay

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refused to show us the patent, and for all answer to the petition say that Bulkley omitted to prosecute Jones when he was in England, and will have an opportunity of prosecuting Trott. Owing to the confused memorials and testimonies given to us by Bulkley, and the refusal of the Proprietors of the Bahamas to give us information, we can give you no more perfect report than this. *Signed*, Ph Meadows, Jno. Pollexfen, John Locke, Abr. Hill, Geo. Stepney.

Here follows, Copy of an affidavit of John Warren. (1) I remember the forcible imprisonment of Thomas Bulkley by Cadwallader Jones in 1694, when my bail for him was refused. I never heard of what crime he was accused. (2) I remember receiving an order to rifle Bulkley's house, which at first I refused to do, though I was afterwards forced. Nothing incriminating was found among Bulkley's papers. Governor Jones negotiated with a pirate to carry Bulkley away, but I and others in the Council opposed it. Bulkley was afterwards tried and acquitted, but Governor Trott began a new prosecution of him. [*Board of Trade.* Proprieties, 25. *pp.* 168-175.]

Oct. 21. Whitehall. **1,401.** Council of Trade and Plantations to the Lords Justices of England. Upon your order conveyed by Mr. Secretary Vernon's letter (*No.* 1,393) we would represent that on 21 January last, and frequently afterwards, we laid before the King the importance of sending provisions along with the forces, sufficient not only for the summer but for the garrison's subsistence in the winter. We are told that some victuallers were sent thither about the beginning of last month, but knowing nothing of the quantity cannot judge whether more should be sent. If sufficient provisions have not been despatched they should be sent forthwith, in spite of the season. *Signed*, Ph. Meadows, Jno. Pollexfen, John Locke, Abr. Hill, George Stepney. [*Board of Trade.* Newfoundland, 25. *p.* 180.]

Oct. 21. **1,402.** Journal of General Assembly of Virginia. On a message from the Burgesses, the Governor informed them that they might proceed to business.

Oct. 23. The Governor summoned the Burgesses and made them the following speech. Soon after your adjournment the Piscattaway Indians to North of Potomac in Maryland came across to settle on this side, and notwithstanding my reiterated orders to the chief officers in Stafford County have not been prevailed with to return to Maryland, but remain in the woods beyond the little mountains. I had also an account of a woman and her three children in the same county being dangerously wounded by Indians, of whom one has been condemned and executed. I have also an account lately from Upper James River of an Englishman coming from South Carolina being murdered by some unknown Indians near Roanoke River. Two Indians questioned at Appomattox for this murder, but cleared, were the same evening killed by other Indians. I gave immediate orders to endeavour to discover and apprehend the murderers but without effect as yet. All these matters together with some late proceedings in Maryland relating to Indians I have caused to be laid before you by the officers concerned, and beg your

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careful consideration of the whole matter. I also recommend to you the necessity for well settling the militia and for regulation of special juries for the General Court. *Speech ends.* Two Councillors were appointed to administer the oaths to the new members of Assembly. [*Board of Trade.* Virginia, 52. *pp.* 42-44.]

Oct. 21. **1,403.** Journal of House of Burgesses of Virginia. The Speaker and twenty members met, and adjourned till to-morrow.

Oct. 22. Message to the Governor that the House awaited his commands, to which he replied that this was an adjourned Assembly, and that he supposed the House would proceed to business. Adjourned till to-morrow.

Oct. 23. The Governor summoned the Burgesses and made them a speech, of which a copy, together with several papers, was now received. Request sent to the Governor to issue writs for the election of eight new members, the vacancies being due to the late members holding shrievalties. Order for a proclamation to be fixed on the State-house door, stating the date up to which propositions and grievances will be received. John Hix appointed door-keeper. [*Board of Trade.* Virginia, 52. *pp.* 292-294.]

Oct. 22. **1,404.** Memorial of the Agents from the Leeward Islands to Council of Trade and Plantations. In reply to your questions, the usual way for strengthening the islands with able men to bear arms and supply the plantations with white servants has been by transporting them from hence and disposing of them on their arrival to the planters for four or five years according to their age or indenture. The masters of such servants are bound to find them meat, drink, clothes and all necessaries during the time of their service, and at its close to pay them 400 *lbs.* of sugar. In those islands where any land was undisposed of they had also ten acres of land given to them. But looking to the late mortality in the Leeward Islands and the number of able men lost in expeditions against the enemy, the islands having grown very weak in men fit to bear arms and no supplies having been brought, the Government have passed an Act offering 2,000 *lbs.* of sugar for every imported servant, which is a valuable consideration and should be of good effect. Before the late war two companies of sixty men each were maintained at St. Christophers for its defence, the one under command of the Governor-in-Chief, the other of the Lieutenant-Governor of St. Christophers. These two companies some time since reduced into one may be again established as two and filled up out of the regiment now there, the rest of the regiment being disbanded there. *Signed,* Bastian Bayer, Joseph Martyn, Rd. Cary. 1¼ *pp. Endorsed,* Recd. Read 22 Oct., 1697. [*Board of Trade.* Leeward Islands, 5. *No.* 57; *and* 45. *pp.* 99-101.]

Oct. 22. Antigua. **1,405.** Governor Codrington to Council of Trade and Plantations. Since my last I have received yours of 15 March and 22 July by H.M.S. Norwich, which arrived here with the convoy on 28 September. As to the fears of the Nevis merchants that the Act of Limitations might be pleaded against them, it is well known here that the said Act is not pleadable in these islands, and there never was the least motion in any Council or Assembly in this

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Government to make it pleadable in any island. In Nevis itself, I am told, the Act has never been pleaded, but in Antigua I understand that on special occasions it has been pleaded. Of late, however, it is not allowed and I presume that it will never again be offered. I shall take care to prevent its ever being made pleadable, for it would be very destructive to the trade of the Colonies. The great losses of the outward-bound fleet in the Channel prove a great disappointment as well as a great loss to many of the inhabitants, who had their stores for their plantations on board. However, being the fortune of war, we must be content. God see fit to send us a happy peace. The King's orders as to observance of the Acts of Trade shall be strictly observed. I have never been wanting to give my utmost assistance to the Collectors and Naval Officers, who are not appointed by me; and henceforth I shall be careful to see that they do their duty. I thank you for the favour you have done us in representing our needs to the King, and would remind you of the great guns which we require for our fortifications. Mr. Palmer is out of the Secretary's office and Mr. Parsons established therein, pursuant to the King's pleasure. Mr. Palmer is also out of the Council and all other offices of trust. I shall be on the watch for any emissaries from France under the name of Italians; it is morally impossible for such to be among us undiscovered. *Signed*, Chr. Codrington. 1½ *pp.* *Endorsed*, Recd. 23. Read 29 Dec., 1697. [*Board of Trade.* Leeward Islands, 5. *No.* 58; *and* 45. *pp.* 141-145.]

[Oct. 22.] **1,406.** Memorial of the Agents for Jamaica to Council of Trade and Plantations. We offer the following proposals for the advantage both of Jamaica and the Kingdom. Four companies of soldiers (and if possible tradesmen) should be sent to Jamaica on the King's pay, and constantly supplied from England. For their further encouragement it should be ordered that all such soldiers who find employment may upon application made to the Governor, any Councillor or any Justice of the Peace, be immediately discharged without fee, and be at liberty to employ themselves in their respective trades or otherwise. We hope that the mortality which has happened in our fleets going thither during this war will not scare us, for, despite all our warnings and memorials, they have throughout the war arrived there at such improper seasons that those who know the country could, without any spirit of prophecy, assure them that half the men must die; whereas, had they arrived at the right season there had been no more danger to them than in a voyage to Cadiz or Leghorn. Now, there is no mystery in this matter, for the healthful months are from the middle of September to the middle of May; the unhealthy months from the latter end of May to the middle of September; so that there are four unhealthy and eight healthy months. It is easy to contrive not to arrive in the four unhealthy months which, the weather being hot and rainy, generally throw newcomers into fevers. Those that arrive some little time before those four months are seasoned, so that the change of weather seldom affects them. *Signed*, Bartho. Gracedieu, Gilbert Heathcote. 1 *p.* *Endorsed*, Recd. Read 22 Oct., 1697. [*Board of Trade.* Jamaica, 8. *No.* 72; *and* 56. *pp.* 136-138.]

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Oct. 23. London. **1,407.** Micaiah Perry to William Popple. I have discoursed the merchants and inhabitants here as to the encouragement that might be given to the Council's project for settling disbanded soldiers in Virginia and Maryland; but can get little further advice than this. It is not mentioned whether the King or others should bear the expense of transporting the said soldiers. If the King would do it the soldiers would go to a plentiful country where no man can want who will put his hand to any business, the only thing wanting to improve the country being population. It is a large country, not one tenth part cultivated, and a place that never yet had any that were under necessity of begging their bread. But if the transportation is to be done by others (for it is supposed that they cannot transport themselves) they by the laws of the country serve the person who transports them for four years, at the expiration of which term every man is to receive so much corn and clothes as the law judges sufficient to supply them till they can settle themselves in business. This is all that I know or can learn. *Signed*, Micaiah Perry. 1 *p. Endorsed*, Recd. 23rd. Read, 25th Oct., 1697. [*Board of Trade.* Maryland, 3. *No.* 43; *and* 9. *pp.* 164-165.]

[Oct. 23.] **1,408.** Memorandum of receipt of the above letter. ¼ *p.* [*Board of Trade.* Virginia, 6. *No.* 32.]

Oct. 23. **1,409.** Minutes of Council of Massachusetts. Order for payment of £25 to Major John March, commander of the forces in the eastern ports, for sundry expenses. [*Board of Trade.* New England, 49. *p.* 123.]

Oct. 25. **1,410.** Minutes of Council of Jamaica. Privy Seal read, for the appointment of Josiah Heathcote to the Council; after which he was sworn. Orders for sundry payments and for the accounts of the receipts and disbursements since the Governor's arrival to be prepared and audited. An order of Captain Charles Richards of H.M.S. Foresight to his purser to unload no provisions and discharge no storeships but by the orders of the Governor and Council, was read and recorded. The Governor then reported that certain victualling ships had arrived for Admiral Nevill's squadron, and that since the Admiral was now gone he proposed to sell such of the provisions as were perishable and store the rest. The Council concurrred; and it was so ordered. [*Board of Trade.* Jamaica, 79. *pp.* 21-23.]

Oct. 25. London. **1,411.** James Blair to William Popple. In compliance with the orders of the Board of Trade, I send you my thoughts as to transporting such disbanded soldiers as are willing to Virginia. Doubtless there is room enough upon the Continent of Virginia to receive and employ all the men that the King can spare to be transported thither, so that all reduces itself to two questions. (1) The manner of transporting them; (2) What shall they do when they are there. For the first, no doubt it would be a great kindness to the adventurers if the King were to put himself to a little charge to give them a free passage and a few necessaries, viz. household stuff such as a bed, a pot, etc., wearing apparel for at least one year (for

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so long will it be before they get the fruit of their labour), working-tools according to their chosen trades and occupations. Great care must be taken not to crowd too many on one ship, for that usually breeds mortal diseases. Perhaps it would be better to distribute them among the merchant-ships than to carry a great many together on a few men-of-war. The charge of transportation to Virginia in a merchant-ship is usually £6 a head, and if the passenger would have any fresh meat on the voyage he must find it himself. The usual way for the better sort is to lay in forty or fifty shillings for fresh meat. Now as to the question, what shall they do when they are there? Certainly it is a very good and cheap country, but they will be mightily mistaken if they think to live there in idleness. But if they can follow any sort of trade or labour they need never want employment nor living by their labour, if they be good husbands. Therefore (1) Let tradesmen betake themselves to their trades, when they will find ways enough either to set up for themselves or to work as journeymen for others. (2) Such as have no trade may hire themselves out by the year to planters and tradesmen, whereby they will for the present earn their living and later on learn a trade, whereby perhaps in two years they may set up for themselves. (3) If there be too many coming at once to learn tobacco-planting, and if there be any danger that way of glutting the market with tobacco it would be very convenient and commendable for some to set up the useful trades and manufactures of wine, silk, potash, flax, ship's timber, iron, skins, furs, etc., as mentioned in the first section of our report of 20 October. This case, like all new projects, will require more charge, pains and application but would be most acceptable to Virginia, where they are always complaining that they cannot live, being all of one trade, and that their tobacco is such a drag that it does not clear freight and custom. Should this design be to your mind it will be necessary to employ some skilful persons to direct, manage and oversee the whole work, such as skilful vintners for wine, etc. In any design of this nature the King has land enough of his own on the south side of the Blackwater and at the heads of the great rivers where the labourers might be usefully employed, and where (if they were seated in townships) they might be a great defence to the frontiers. But if it be thought convenient that any of these manufactures be followed lower down in the country, land may be bought or rented at a very easy rate. It may be necessary to give orders to the Governor to give the new adventurers all credit and assistance that is in the Government's power, as also to desire of the General Assembly that they may be exempted from all levies and poll-taxes for four years. If the passengers cannot pay their passage the usual way is for them to bind themselves by indenture here in England to serve the importer or his assigns four years. If they come into Virginia as servants without indentures then, by the custom of the country, they serve five years. Their masters find them all necessaries and at the expiration of their service gives them a suit of clothes and fifteen bushels of Indian corn, by a law of the country. *Signed*, James Blair. 3 *pp.* *Endorsed*, Recd. and read 25 Oct., 1697. [*Board of Trade.* Virginia, 6. *No.* 33; *and* 37. *pp.* 125-128.]

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Oct. 25. **1,412.** The Agents for Barbados to Council of Trade and Plantations. We have with what speed we could consulted several gentlemen as to the proposal to transplant disbanded soldiers to Barbados. The encouragements which can at present be proposed for such soldiers as shall be willing to transplant themselves or be transplanted as servants are set forth in an Act of the island, of which we enclose extracts. The encouragements therein offered are thought to be very great, since he who transports a servant to Barbados (which costs about £6) may in ten days after his arrival receive for him £18 from the Treasurer, if he be qualified as the Act requires. Moreover any man who is so qualified may agree for his passage thither for £6, and, if he cannot make better terms, present himself to the Treasurer after ten days and receive £18; and for the four years for which he is to serve the Act provides that he shall be provided with food, lodging and clothes, and shall receive yearly as wages twenty-five shillings. We are well-informed that it was the want of white men to defend the Island in time of war which induced the Government to offer such large encouragements. However, the Act will continue in force until 20 June, 1699. We think that to transport soldiers to the Island in regiments or companies and there to disband them will be rather a prejudice than an advantage to the Island. *Signed*, Wm. Bridges, Fran. Eyles. 1½ *pp. Endorsed*, Recd. Read, 25 Oct., 1699. *Annexed*,

1,412. I. Copy of an Act of Barbados to encourage the bringing of Christian servants to the Island. The allowance of victuals and clothing for servants is fixed at 6*lbs.* of fish or flesh with sufficient plantation-provision, and four shirts, 3 pair of drawers, two jackets, a hat and four pair of shoes annually. *Printed.* 1 *p. Endorsed as the letter.* [*Board of Trade.* Barbados, 7. *Nos.* 44, 44 I.; *and* (*without enclosure*) 44. *pp.* 99-101.]

Oct. 25. **1,413.** Journal of Council of Trade and Plantations. On the Order in Council of 21st inst., ordered that a circular be prepared directing the peace lately concluded with France to be published in the Plantations.

Several letters and memorials as to the transplanting of disbanded soldiers from Mr. Blair (*No.* 1,411), Mr. Perry (*No.* 1,407) and Mr. Bridges (*No.* 1,412) were read. Order for the Secretary to make further enquiry on the subject from the Agents of Barbados.

Oct. 26. Draft Circular for the proclamation of peace approved, and one copy for the Earl of Bellomont signed and sent to Portsmouth.

Oct. 27. The draft Circulars for the proclamation of peace were signed.

Order for the Secretary to remind Mr. Lowndes about the payment of the salaries of the officers of this Board.

Representations as to transporting of convicts and as to ports in New Jersey signed.

The copy of a letter of 4 May last, signed J. Johnssoun, containing several complaints against Governor Codrington was brought in by Lord Bridgewater and read.

Representations as to Virginia further considered.

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Oct. 28. Mr. Stepney brought forward the question of the appointment of certain gentlemen to the Council of Barbados. A representation upon the subject was agreed to.

Oct. 29. Representations as to Virginia further considered.

Oct. 30. Mr. Burchett's two letters of yesterday read; and orders given to the Secretary for his reply thereto.

Mr. Merret's letter of yesterday read.

Order given for one of the two letters returned by him to be sent to the Admiralty. [*Board of Trade.* Journal, 10. *pp.* 325-332.]

Oct. 25. **1,414.** Journal of House of Burgesses of Virginia. Order for several absent members to be sent for in custody of the messenger. The Governor's speech was then considered, and referred to the Committee of grievances and propositions, which Committee was added to, and, with the Committee of claims, directed to proceed to business.

Oct. 26. The Committee of grievances presented its report on the Governor's speech, whereupon the House desired a conference with the Council upon a part of it, but upon the questions of militia and juries resolved that the present jury-laws were sufficient, and that the matter of juries must stand over for next Assembly. Several further propositions considered and some of them deferred to next Assembly. Order for preparation of an address of thanks to the Governor. Several petitions referred to the Committee of Claims.

Oct. 27. Message from the Council agreeing to the proposed Conference. Address to the Governor agreed to, thanking him for his speech, and asking him for additional papers as to the outrages of Indians, and reporting that the question of defence would be considered in conference with the Council, that the existing laws as to the militia were considered to be sufficient, and that the question of juries would be better deferred to a fuller Assembly. A proposition as to discovery of concealed titheables was also deferred to next Assembly. The accounts of the impost on liquors were received, on which the House observed that one Collector's accounts were not sworn to and another's imperfect, and desired the Auditor to make good their omissions.

Oct. 28. Philip Ludwell was sworn, being elected a burgess. Message from the Council desiring a conference on the subject of Indians and of the Militia. The managers appointed for the last conference were accordingly bidden to meet the managers for the Council. The Committee appointed to see to Colonel Scarburgh's accounts reported that he had promised to make good his omissions immediately. Ordered that the Auditor be acquainted that the House expects him to make all the Collectors bring in their accounts of the liquor-duty. Sundry petitions for payment were referred to the Committee of Claims.

Oct. 29. On the report of the conferrers with the Council as to Indians and Militia, it was resolved that the methods used by Government to induce the Piscattaway Indians to return to Maryland were very prudent, and that forcible methods therein were to be deprecated; that the four Indian prisoners now detained should be released; and that the House adheres to its former message respecting the

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Militia. The book of claims being presented was then considered in committee of the whole House. Resolved that the thanks of the House be given to the Speaker for his discharge of his duties, and that it be a standing rule from henceforward that the House give no allowance to their Speaker. The book of claims was sent up to Council.

Oct. 30. Message to the Council, embodying the resolutions passed yesterday concerning the Indians and the Militia. [*Board of Trade.* Virginia, 52. *pp.* 294-312.]

Oct. 25. **1,415.** Journal of General Assembly of Virginia. No business came up from the Burgesses.

Oct. 26. In accordance with a message from the Burgesses three members were appointed to meet them in conference concerning Indians, and a message was sent accordingly.

Oct. 27. The address of the Burgesses on the Governor's speech was received.

Oct. 28. The managers of the Conference reported that the Burgesses were not so much for a Conference as to advise what might be best for the country, and that they desired the Council to suggest any other means, besides those already provided by law, which might meet the requirements of the situation; which the Council was not authorised to do. Thereupon the same managers were appointed to meet the Burgesses in Conference anew.

Oct. 29. The managers of the Conference reported that the Burgesses desired the advice of the Council whether the Piscattaway Indians ought to be removed and the prisoners released. As to the militia the Governor had quoted the opinion of the Council and Commanders-in-Chief of the militia that the laws were wanting and uncertain, being variously and dubiously expounded and executed, and had therefore referred the matter to the Burgesses for consideration; and this the Conferrers had brought to the Burgesses' notice.

Oct. 30. A message from the Burgesses embodying their resolutions of the 29th as to the Indians and the Militia was received. [*Board of Trade.* Virginia, 52. *pp.* 44-52.]

Oct. 25. **1,416.** Journal of General Assembly of Massachusetts. Bill for a tax debated. Bill of Limitations and bill for registering deeds received from the Assembly and debated.

Oct. 26. Bill as to Precedents received from the Representatives and voted to be engrossed. Order for a Committee to delimit the boundaries between Freetown and Tiverton. Votes of the Representatives for sundry small payments agreed to, also a vote for a stay of execution on a judgment. Bills for registering deeds, as to French prisoners, and for Limitations debated.

Oct. 27. Bill for registering of deeds voted to be engrossed. Bill as to Precedents passed into an Act. Tax bill and French prisoners bill debated.

Oct. 28. Tax bill and French prisoners bill ordered to be engrossed. Letter from Colonel Gibsone read, stating the provisions which he required, and ordered to be sent to the Representatives. Vote of £20 for the Minister of Dunstable garrison agreed to.

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1697.

Oct. 29. Bill of Limitations read and ordered to be engrossed. Bills for a tax and for French prisoners passed into Acts. The jailer's accounts for prisoners of war passed.

Oct. 30. Votes of the Representatives for salaries and for sundry small payments, agreed to. Bills of Limitations, for registering deeds, and against blasphemy passed into Acts. Orders of the Representatives agreed to for altering a room in the town-house, and for a Committee to report as to cutting a passage for vessels from Barnstable Bay into Monument Bay. A private bill was passed. Assembly prorogued to 15 December. [*Board of Trade.* New England, 48. *pp.* 194-202.]

Oct. 26. **1,417.** Minutes of Council of Barbados. Several accounts were passed. The Assembly came in, when the Speaker said that he understood some things were resented ill, and desired to know what they were. The President answered that in the Habeas Corpus bill they had reserved to themselves a power which destroyed the very foundations of the bill, and which the Council could not grant. The Assembly desired it to be returned to them, but the Council said they would first amend it in some other points that required alteration. The President then desired the Assembly to find out some easier method of subsisting the white-coats, to make provision for the reception of Governor Grey, and to consider of the solemnity of Governor Russell's corpse, and informed them that they would a little further consider the Militia bill. The Assembly then brought up an address asking for despatch of the bills before Council, when the Habeas Corpus bill was read a second time and returned to them with amendments. [*Board of Trade.* Barbados, 65. *pp.* 250-251.]

Oct. 26. **1,418.** Minutes of Council and Assembly of Antigua. The Governor reported to the Council that Captain Symons of H.M.S. Norwich had wounded Captain Rumbold in a duel, and that Rumbold had since died. Agreed that Symons be tried as speedily as possible in St. Christophers and that, for fairer proceeding, he name the day for the trial. [*Board of Trade.* Leeward Islands, 64. *p.* 215.]

Oct. 26. Whitehall. **1,419.** William Popple to the Agents for Barbados. Your letter of yesterday with its enclosure has been laid before the Council of Trade. I am to ask if you have the Act whereby the planters of Barbados are required to keep one white servant for every ten negroes, and can furnish a copy of it; and whether you will say, to the best of your knowledge, what number of whites is now wanting in Barbados to make up that proportion. [*Board of Trade.* Barbados, 44. *p.* 102.]

Oct. 27. Whitehall. **1,420.** William Popple to the President and Council of Barbados. Desiring them to forward a packet, enclosed, to Bermuda. [*Board of Trade.* Barbados, 44. *p.* 103.]

Oct. 27. **1,421.** William Popple to Lieutenant-Governor Stoughton. Forwarding letters to be transmitted to New Hampshire, Connecticut and Rhode Island, ordering the proclamation of peace. [*Board of Trade.* New England, 36. *p.* 309.]

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1697.
Oct. 27. Whitehall.

1,422. Council of Trade and Plantations to the Governors of all the Colonies. Forwarding the proclamation of the peace concluded at Ryswick between the English and French, and ordering hostilities to cease. *Signed*, J. Bridgewater, Ph. Meadows, John Pollexfen, Jo. Locke, Abr. Hill, Geo. Stepney. [*Board of Trade.* Plantations General, 34. *pp.* 190-191.]

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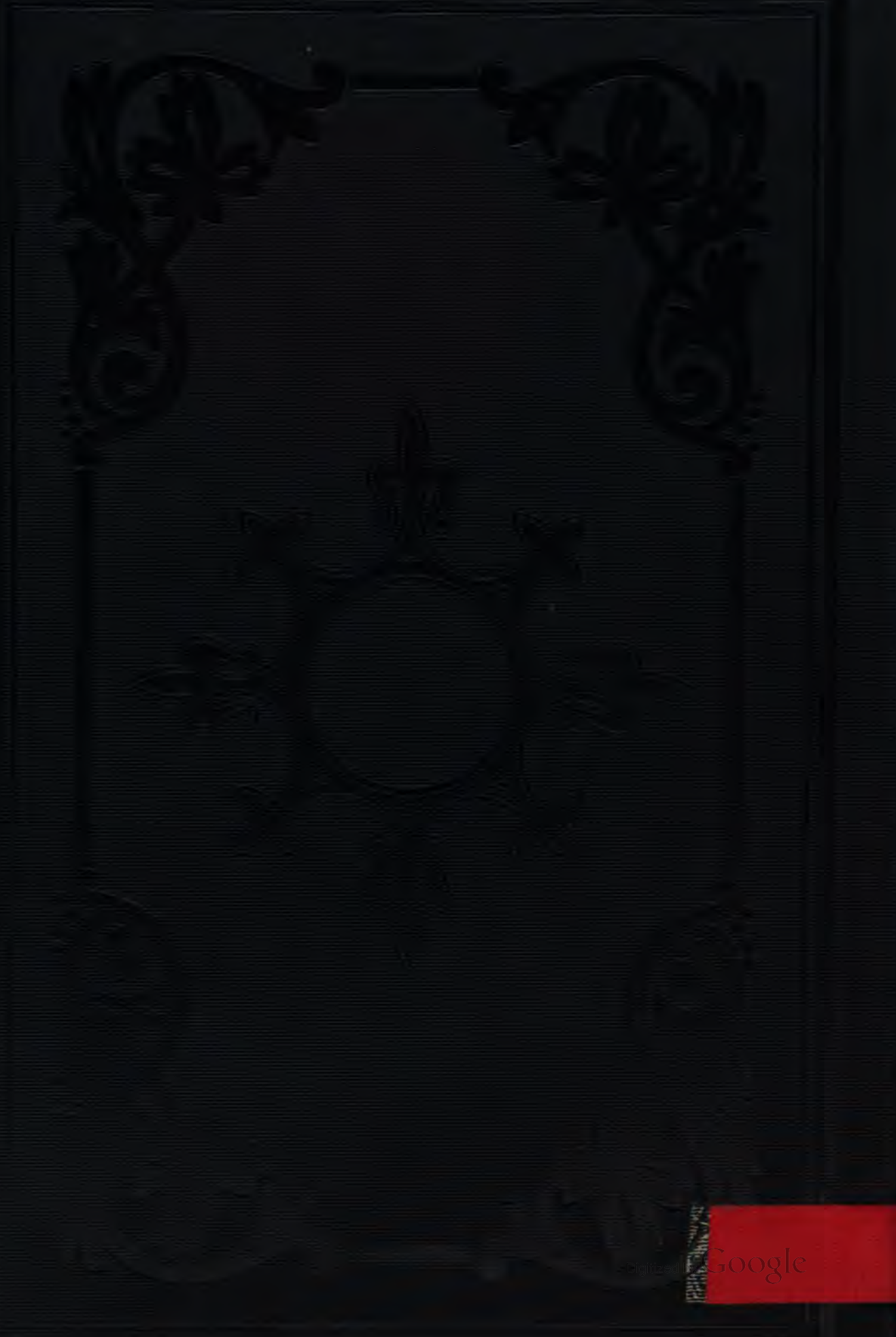
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